

FORTY-FIRST DAY

Thursday, March 13, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Grant Lee of Nuuanu Congregational Church, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Ikeda, Larsen, Lee, Suwa and Ushijima, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fortieth Day.

On motion by Representative Kimura, seconded by Representative Soares and carried, reading of the Journal was dispensed with and the Journal of the Fortieth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 32 to 49) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 32) transmitting Senate Concurrent Resolution No. 95 relating to National Wildlife Week - March 16-22 which was adopted by the Senate on March 12, 1975, was placed on file.

By unanimous consent, S.C.R. No. 95 was referred to the Committee on Water, Land Use, Development, and Hawaiian Homes.

A communication from the Senate (Sen. Com. No. 33) transmitting Senate Bill No. 229, SD 1 entitled: "A Bill for an Act relating to motor vehicle driver licensing," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 34) transmitting Senate Bill No. 260, SD 1, entitled: "A Bill for an Act relating to prepaid health care," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 35) transmitting Senate Bill No. 335 entitled: "A Bill for an Act relating to the University of Hawaii and repealing statutory provisions providing for the land study program and the Economic Research Center," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 36) transmitting Senate Bill No. 559, SD 1, entitled: "A Bill for an Act relating to workmen's compensation," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 37) transmitting Senate Bill No. 703 entitled: "A Bill for an Act relating to the bond requirements of collection agencies," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 38) transmitting Senate Bill No. 705 entitled: "A Bill for an Act relating to declarations of foreign corporations," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 39) transmitting Senate Bill No. 827, SD 1, entitled: "A Bill for an Act relating to an annual report on the state of the environment," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 40) transmitting Senate Bill No. 959 entitled: "A Bill for an Act relating to take-over bid disclosures," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 41) transmitting Senate Bill No. 960, SD 1, entitled: "A Bill for an Act relating to the Hawaii Insurance Law," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 42) transmitting Senate Bill No. 976 entitled: "A Bill for an Act relating to theft,"

which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 43) transmitting Senate Bill No. 977, SD 1, entitled: "A Bill for an Act relating to criminal trespass," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 44) transmitting Senate Bill No. 1159 entitled: "A Bill for an Act relating to jury trial in probate court," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 45) transmitting Senate Bill No. 1163 entitled: "A Bill for an Act relating to facsimile signature of Registrar of the Land Court," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 46) transmitting Senate Bill No. 1188 entitled: "A Bill for an Act relating to certain positions in the University of Hawaii," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 47) transmitting Senate Bill No. 1304 entitled: "A Bill for an Act relating to comparative negligence," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 48) transmitting Senate Bill No. 1469, SD 1, entitled: "A Bill for an Act relating to jurors," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 49) transmitting Senate Bill No. 1624 entitled: "A Bill for an Act relating to the application of the Hawaii Penal Code to persons sentenced prior to its effective date," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

On motion by Representative Kimura, seconded by Representative Soares and carried, S.B. Nos. 229, SD 1; 260, SD 1; 335; 559, SD 1; 703; 705; 827, SD 1; 959; 960, SD 1;

976; 977, SD 1; 1159; 1163; 1188; 1304; 1469, SD 1 and 1624 passed First Reading by title and further action was deferred until later in the calendar.

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

Representative Sutton introduced a group of custodians from the University of Hawaii.

Representative Kimura introduced 75 fourth grade students from Maemae School and their teachers, Mrs. Millicent Asari, Miss Rose Yuen and Mrs. Jane Komeiji.

Representative Morioka introduced 43 fifth grade students from Hokulani Elementary School and their teachers, Mrs. Kikue Okinaga and Mr. Claude Nagaishi, and room mothers, Mrs. Kobayashi, Mrs. Inazumi and Mrs. Martin.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate Bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
229	Committee on Judiciary
260	Jointly to the Committees on Health and Labor and Public Employment
335	Committee on Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Higher Education
559	Committee on Labor and Public Employment
703	Committee on Consumer Protection and Commerce
705	Committee on Consumer Protection and Commerce
827	Committee on Environmental Protection
959	Committee on Consumer Protection and Commerce
960	Committee on Consumer Protection and Commerce
976	Committee on Judiciary

977	Committee on Judiciary
1159	Committee on Judiciary
1163	Committee on Judiciary
1188	Committee on Labor and Public Employment, then to the Committee on Higher Education
1304	Committee on Judiciary
1469	Committee on Judiciary
1624	Committee on Judiciary

UNFINISHED BUSINESS

H.B. No. 356 on Third Reading
(Deferred from March 12, 1975):

Representative Uechi moved that action on H.B. No. 356 be deferred until the end of the calendar and the Chair, noting that there were no objections, so ordered.

H.B. No. 999 on Third Reading
(Deferred from March 12, 1975):

Representative Segawa moved that action on H.B. No. 999 be deferred until the end of the calendar and the Chair, noting that there were no objections, so ordered.

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 586 to 593) and concurrent resolutions (H.C.R. Nos. 111 to 113) were disposed of as follows:

At 11:10 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

<u>H.R. Nos.</u>	<u>Referred to:</u>
586	Committee on Consumer Protection and Commerce
587	Committee on Youth and Elderly Affairs
588	Committee on Health
589	Committee on Water, Land Use, Development, and Hawaiian Homes
590	Committee on Water, Land Use, Development, and Hawaiian Homes
591	Committee on Health
592	Committee on Energy and Transportation, then to the Committee on Water, Land Use, Development, and Hawaiian Homes
593	Committee on Health

Upon reconvening at 11:11 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Abercrombie, Larsen, Lee, Suwa and Ushijima.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 594 to 596) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 594) extending congratulations to Susannah Wesley Community Center on its Diamond Anniversary was jointly offered by Representatives Sakima, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Cayetano, Clarke, Cobb, Evans, Fong, Garcia, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Roehrig, Santos, Shito, Soares, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Sakima, seconded by Representative Garcia and carried, H.R. No. 594 was adopted.

A resolution (H.R. No. 595) congratulating Ronald E. Bright on his nomination for the "1975 National

<u>H.C.R. Nos.</u>	
111	Committee on Water, Land Use, Development, and Hawaiian Homes
112	Committee on Water, Land Use, Development, and Hawaiian Homes
113	Committee on Health

Teacher of the Year" award was jointly offered by Representatives Evans, Ajifu, Clarke, Kamalii, Medeiros, Santos and Sutton.

On motion by Representative Evans, seconded by Representative Ajifu and carried, H.R. No. 595 was adopted.

At this time, Representative Kiyabu rose and stated:

"Mr. Speaker, yesterday, we adopted House Resolution 585 relating to 'Operation Face-Lift.' The Bicentennial Commemoration in 1976 promises to be one of the biggest events in the history of America. As the nation gears itself towards the coming year, it is fitting that we, in Hawaii, the Paradise State in the union, display to the rest of the nation that we are indeed the most beautiful. For this, we need the combined efforts of all of our citizens to clean, beautify and become more aware of what we have here and need to preserve. Thus, I strongly urge you to support and actively participate in 'Operation Face-Lift', a campaign to beautify our lovely islands.

At this time, I would like to extend my heartiest congratulations to Mr. Eddie Anderson, my lifelong friend and energetic chairman of 'Operation Face-Lift' and to the representatives of the many businesses and organizations who have pledged their support and participation."

Representative Kiyabu then introduced to the members of the House Mr. Eddie Anderson and his daughter, Linda Anderson.

A certified copy of House Resolution 585 was presented to Mr. Anderson by Representative Kiyabu.

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

The House of Representatives reconvened at 11:22 o'clock a.m.

A resolution (H.R. No. 596) proclaiming the observance of "Music In Our School Day", sponsored by the Hawaii Music Educators Association was jointly offered by Representatives Garcia, Blair, Lee, Roehrig, Sakima,

Santos, Shito, Stanley and Uechi.

On motion by Representative Garcia, seconded by Representative Stanley and carried, H.R. No. 596 was adopted.

At this time, Representative Garcia introduced to the members of the House a group of students in the first, second and third grade classes from Kamehameha School and their music teacher, Mrs. Rosehill.

At 11:25 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, for the purpose of having the youngsters from Kamehameha School perform for the members of the House.

The House of Representatives reconvened at 11:43 o'clock a.m.

Representative Abercrombie then rose on a point of personal privilege and stated:

"Mr. Speaker, I would like to observe to the rest of the chamber, the rest of the members--I am sure they saw the joy on these children's faces and could feel the happiness they felt. I hope the members will keep them in mind when the education budget comes up that has the restoration of music in the schools. Thank you."

By unanimous consent, the following resolutions (H.R. Nos. 597 to 605) and concurrent resolutions (H.C.R. Nos. 114 and 115) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 14, 1975:

A resolution (H.R. No. 597) in support of the revised New Americans Education and Employment Assistance Act was jointly offered by Representatives Sakima, Ajifu, Akizaki, Cayetano, Cobb, Ho, Inaba, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Lee, Machida, Mizuguchi, Naito, Oda, Peters, Roehrig, Shito, Stanley, Suwa, Takamine, Takamura, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

A resolution (H.R. No. 598) requesting a study of the feasibility of developing an agricultural park in Kona, Hawaii was jointly offered by Representatives Inaba, Akizaki, Blair, Cayetano, Hakoda, Ho, Kiyabu, Kondo, Lunasco, Mizuguchi, Morioka, Naito, Roehrig, Segawa, Stanley, Suwa, Takamine, Uechi, Yap and

Yuen.

A resolution (H.R. No. 599) requesting adoption of a Prisoners' Bill of Rights was offered by Representative Lee.

A resolution (H.R. No. 600) requesting federal aid and assistance for the State of Hawaii to relieve the heavy burden created by newly arrived immigrants was jointly offered by Representatives Kihano, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Garcia, Hakoda, Ho, Inaba, Kawakami, Kimura, Kiyabu, Kondo, Larsen, Lee, Lunasco, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Roehrig, Sakima, Santos, Shito, Soares, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yuen and Wakatsuki.

A resolution (H.R. No. 601) strengthening the reading program in our schools through use of volunteers was jointly offered by Representatives Hakoda, Kamalii, Lee and Yuen.

A resolution (H.R. No. 602) regarding school counselors in Hawaii's public schools was jointly offered by Representatives Hakoda, Lee and Yuen.

A resolution (H.R. No. 603) regarding career guidance programs in Hawaii's public schools was jointly offered by Representatives Hakoda, Clarke, Kamalii, Lee and Yuen.

A resolution (H.R. No. 604) requesting the Congress of the United States to provide tax incentives to leasehold estates to sell their lands: Maui Loa land reform resolution was offered by Representative Carroll.

A resolution (H.R. No. 605) requesting the establishment of a Portuguese ethnic studies program at the University of Hawaii was jointly offered by Representatives Soares, Ajifu, Amaral, Evans, Medeiros and Santos.

A concurrent resolution (H.C.R. No. 114) requesting adoption of a Prisoners' Bill of Rights was offered by Representative Lee.

A concurrent resolution (H.C.R. No. 115) requesting a review and

report on unlicensed boarding homes and rooming houses was jointly offered by Representatives Takamura, Blair, Cayetano, Evans, Hakoda, Ho, Kihano, Kondo, Kunimura, Machida, Mizuguchi, Naito, Oda, Peters, Shito, Stanley, Ushijima and Yuen.

At this time, the members of the House extended birthday greetings to Representative Lee.

At 11:47 o'clock a.m., on motion by Representative Kimura, seconded by Representative Soares 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 7:40 o'clock p.m.

The Chair then stated:

"This evening, we have a very long and heavy calendar so let's move expeditiously. I am informed that the Senate is well on their calendar."

SUSPENSION OF RULES

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

UNFINISHED BUSINESS

H.B. No. 1354 on Third Reading (Deferred from March 12, 1975):

Representative Lee moved that H.B. No. 1354, having been read throughout, pass Third Reading, seconded by Representative Takamine.

Representative Ajifu then rose and inquired whether or not Representative Lee would yield to questions, to which Representative Lee replied in the affirmative.

Representative Ajifu then queried:

"Mr. Speaker, I have a few questions I would like to raise on this particular bill. Mr. Speaker, yesterday, we passed a floor amendment to House Bill 1354, House Draft 1.

We removed what might have been considered an attempt to resolve an apparent ambiguity in the existing law. As this body has decided to retain the existing language, I would like the Chairman to clarify, for the records, the intent of the last paragraph on page 2 of the House draft now before us and the question is--is it the intent of the third sentence to require that nothing less than the full Board shall constitute a quorum? There are three questions that I would like to raise, Mr. Speaker."

The Chair interrupted:

"One at a time."

Representative Lee replied:

"Mr. Speaker, may I answer one at a time?"

The sentence the previous speaker refers to is as follows: 'Three members of the Board consisting of the Chairman--at least one member representative of management and at least one member representative of labor, shall constitute a quorum.' Is that what you're referring to?"

Representative Ajifu replied:

"Yes. According to the amendment and which now as I read it, it says three members of the Board consisting of the Chairman, etc. and which comprises the quorum. . .in other words, the full Board will make up the quorum--is it not?"

Representative Lee replied:

"Yes, that's right."

Representative Ajifu continued his query:

"In the opening paragraph where it states, 'Any action taken by the Board shall be by a simple majority of the members of the Board' but then as you go down, at the end of the paragraph, it says, 'Any vacancy in the Board shall not impair the authority of the remaining members to exercise all the powers of the Board', and I have that particular question, Mr. Speaker, as to the existing law. I feel it's ambiguous because it states that you need three members to establish a quorum and then you go on down to say that any

vacancy on the Board shall not impair the authority of the remaining members to exercise all the powers of the Board and, therefore, Mr. Speaker, I raise the question as to whether one man, if there is a vacancy of two, would the one man ultimately make that decision or not."

Representative Lee replied:

"No, Mr. Speaker."

Representative Ajifu concluded:

"If the answer is 'no', Mr. Speaker, I see some very inconsistent statements within the existing law. Thank you, Mr. Speaker."

Representative Abercrombie, upon being recognized by the Speaker, stated:

"Mr. Speaker, I rise to speak against House Bill 1354, House Draft 1.

I am speaking against this bill because I don't think that any member of the Hawaii Public Employment Relations Board should serve a ten-year term. I say this with some trepidation because, in a sense, I have almost a conflict about it. I know the labor member of the Board for some fifteen years and from my own point of view, I am completely satisfied with his integrity and his fairmindedness as regards public employment in the State of Hawaii. But, Mr. Speaker, with a ten-year term, it seems to me that the possibilities are rife that someone who may not be as capable as the present recently appointed member--I speak of the most recently appointed member because the other members have been there since its inception--the possibility is rife, as I say, for the possibility that through some error in judgment on the part of the executive, that someone may be appointed who would do a disservice, especially in the area of labor, to the public employees of the State of Hawaii.

Therefore, Mr. Speaker, with that reservation in mind, I would ask that this bill be defeated."

The motion was put by the Chair and H.B. No. 1354 passed Third Reading by a roll call vote of 38 ayes to 11 noes, with Representatives Abercrombie, Ajifu, Amaral, Carroll, Cobb, Kihano, Larsen, Shito, Soares,

Sutton and Uechi voting no, and Representatives Ikeda and Lunasco being excused.

H.B. No. 258 on Third Reading (Deferred from March 12, 1975):

On motion by Representative Roehrig, seconded by Representative Uechi, H.B. No. 258, having been read throughout, passed Third Reading by a vote of 40 ayes to 9 noes, with Representatives Abercrombie, Carroll, Cayetano, Ho, Naito, Shito, Stanley, Sutton and Yuen voting no, and Representatives Ikeda and Lunasco being excused.

H.B. No. 1871 on Third Reading (Deferred from March 12, 1975):

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, H.B. No. 1871 was recommitted to the Committee on Energy and Transportation.

Stand. Com. Rep. No. 525 on H.B. No. 1746 (Deferred from March 12, 1975):

On motion by Representative Lee, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1746, HD 1, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 526 on H.B. No. 1294 (Deferred from March 12, 1975):

On motion by Representative Roehrig, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1294, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 527 on H.B. No. 1312 (Deferred from March 12, 1975):

On motion by Representative Blair, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1312, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 528 on H.B. No. 1778 (Deferred from March 12, 1975):

On motion by Representative Lee, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1778, having been read throughout, passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Carroll and Larsen voting no, and Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 529 on H.B. No. 1340, as amended (Deferred from March 12, 1975):

On motion by Representative Sakima, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1340, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 530 on H.B. No. 1779, as amended (Deferred from March 12, 1975):

On motion by Representative Lee, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1779, as amended, having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Sutton voting no, and Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 531 on H.B. No. 801 (Deferred from March 12, 1975):

On motion by Representative Uechi, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 801, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 532 on H.B. No. 857, as amended (Deferred from March 12, 1975):

On motion by Representative Cayetano, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 857, as amended, having been read throughout, passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Carroll, Cobb, Soares and Sutton voting no, and Representatives

Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 533 on H.B. No. 374 (Deferred from March 12, 1975):

On motion by Representative Lee, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 374, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 534 on H.B. No. 990, HD 1 (Deferred from March 12, 1975):

On motion by Representative Segawa, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 990, HD 1, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 535 on H.B. No. 1884 (Deferred from March 12, 1975):

On motion by Representative Stanley, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1884, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 536 on H.B. No. 996, as amended (Deferred from March 12, 1975):

On motion by Representative Sakima, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 996, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 537 on H.B. No. 597, as amended (Deferred from March 12, 1975):

On motion by Representative Takamura, seconded by Representative Suwa and carried, the report of the majority of the Committee was adopted and H.B. No. 597, as amended, having been read throughout, passed Third Reading

by a vote of 48 ayes to 1 no, with Representative Ajifu voting no, and Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 538 on H.B. No. 1740, HD 1 (Deferred from March 12, 1975):

On motion by Representative Lee, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1740, HD 1, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 539 on H.B. No. 321, as amended (Deferred from March 12, 1975):

On motion by Representative Stanley, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 321, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 540 on H.B. No. 97, HD 1 (Deferred from March 12, 1975):

On motion by Representative Kawakami, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 97, HD 1, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 541 on H.B. No. 318, as amended (Deferred from March 12, 1975):

Representative Yuen moved that the report of the Committee be adopted and H.B. No. 318, as amended, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Oda then rose and stated:

"Mr. Speaker, I rise to speak in favor of House Bill 318, House Draft 2, which would provide funds for coordinating a program of Hawaiiana in our schools.

For too long, our public schools have neglected the importance of the teaching of Hawaii--her people and their way of life, customs and beliefs, her geography. . . all the

things that make it most unique in this world. The piecemeal approach, in the past, has only led to confusion. This bill proposes creation of an in-service training program for teachers on a statewide basis. The students are eager to learn as witnessed by the increased interest in our ethnic studies programs. We need to show them we are willing to help them understand our beautiful heritage.

For these reasons, Mr. Speaker, I urge all members to vote aye on this bill. Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 318, as amended, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 542 on H.B. No. 482 (Deferred from March 12, 1975):

On motion by Representative Yamada, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 482, having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Roehrig voting no, and Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 543 on H.B. No. 277, HD 1 (Deferred from March 12, 1975):

On motion by Representative Roehrig, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 277, HD 1, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 544 on H.B. No. 399, as amended (Deferred from March 12, 1975):

On motion by Representative Yamada, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 399, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 545 on

H.B. No. 453, HD 1 (Deferred from March 12, 1975):

On motion by Representative Sakima, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 453, HD 1, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 546 on H.B. No. 1732, as amended (Deferred from March 12, 1975):

On motion by Representative Sakima, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1732, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

At 7:59 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:00 o'clock p.m.

Stand. Com. Rep. No. 547 on H.B. No. 161, HD 1 (Deferred from March 12, 1975):

Representative Lee moved that the report of the Committee be adopted and H.B. No. 161, HD 1, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Soares, upon being recognized by the Speaker, stated:

"Mr. Speaker, I rise to speak in favor of House Bill 161, House Draft 1. It has been a long program with the Republicans to work together with a Committee in establishing a State Government Commission for the improvement of our organization in government.

In 1969, I had the pleasure of being able to listen to a presentation by the California Commission in San Francisco and had the opportunity to hear the results of the tremendous input by the citizens' groups and members of the Committee in assisting the California Legislature and administration in putting together meaningful input. The results that came out of that discussion and that Committee were far-reaching and great values received.

Hopefully, in the recordation of history and the experiences related, the contributions of those before exemplified, our young people, too, will be inspired to make contributions of their own to Hawaii. And with a knowledge of their heritage, they can better appreciate their cultural roots and reflect on it with pride and dignity.

In concluding, I would like to say, as Chairman of your newly formed Committee on Culture and the Arts, I would like to commend my Committee members for their work and patience in our hearings, for your Committee has tried to be as thorough and fair in its research and recommendations. We've tried to analyze all the problems from every person's point of view, and I'm proud of the Committee members' concern and hard work in our deliberations. I would like to commend the House for its formation of this Committee and express my gratitude to my members. I humbly urge the passage of House Bill 1256, House Draft 1."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1256, HD 1, passed Third Reading by a vote of 39 ayes to 10 noes, with Representatives Ajifu, Amaral, Clarke, Evans, Fong, Kamalii, Medeiros, Poepoe, Santos and Sutton voting no, and Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 549 on H.B. No. 165, as amended (Deferred from March 12, 1975):

Representative Segawa moved that the report of the Committee be adopted and H.B. No. 165, as amended, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Santos then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak in favor of House Bill 165, House Draft 2, calling for the expansion of the school health services project to all school complexes in the State.

Your Committee on Health, in its wisdom, deferred permanent

establishment of this necessary program pending the Legislative Auditor's report which was to provide guidelines concerning the implementation of a statewide program, including staffing patterns, equipment needs, and other operational factors. The Committee has since received the Auditor's recommendations. The overall finding was that the pilot project has been effective. There is a need for such services in our schools. They found that for those schools with health aides, students lost less school time than students in schools without aides.

The Auditor's report also stated, and I quote, 'The Governor's Health Services Advisory Committee, the Committee established by law to oversee the school health services pilot project, has expressed its agreement with the findings and recommendations of the report. The Committee recommends that the pilot project be made into a permanent program and that the school health services program be expanded to all the public schools in the State.'

It is my hope that the establishment of a permanent school health services program, as recommended in the Management Audit Report, will be forthcoming in the next session of the Eighth State Legislature. This State has an obligation to its children to protect, preserve, care for, and improve their physical and mental health by making available at our public schools first aid and emergency care, preventive health care, and health care facilities. These services will be provided for children in grades kindergarten through twelve in the current biennium through the efforts of House Bill 165, and hopefully, they will be expanded and made permanent next session through my bill, House Bill 247.

For these reasons, I urge the members of this honorable body to vote aye on House Bill 165, House Draft 2. Thank you, Mr. Speaker."

Representative Segawa, upon being recognized, stated:

"Mr. Speaker, I rise to speak in favor of House Bill 165, House Draft 2.

Tonight, we are taking a very significant step in the care of our children. In 1970, by legislative mandate, a program to provide personnel

During the 1973 session, we had the opportunity to travel to California and Oregon again and came back and filed on the floor of this House our goal plan which again called for a commission to improve the efficiency of government and I think this bill begins to put together this organization that I am sure will bring together the minds of great people in this State and the results, I am sure, will also benefit all of our people in this State of Hawaii.

Your minority is very delighted to see this happen and look forward to great expectations and urge all members to vote for this bill. Thank you, Mr. Speaker."

Representative Sutton was then recognized and stated:

"Mr. Speaker, I would like to speak in favor of this bill.

I am indeed delighted to see that the Democrats have established a 'little Hoover Commission' and, Mr. Speaker, I noticed that you are one of three people who will appoint four members. Could you please keep us in mind when you do so? Thank you."

The Chair responded:

"I shall and will always keep everyone in mind."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 161, HD 1, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 548 on H.B. No. 1256, HD 1 (Deferred from March 12, 1975):

Representative Ho moved that the report of the Committee be adopted and H.B. No. 1256, HD 1, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Ho then rose and stated:

"Mr. Speaker, I rise to speak in favor of House Bill 1256, House Draft 1.

This bill is concerned with three primary responsibilities:

1. The recording of ethnic history (both oral and written).
2. The encouraging of ethno-cultural activities.
3. The creation of a depository for such ethno-historical materials.

The bill would vest these responsibilities to the ethnic studies program at the University of Hawaii.

Here in Hawaii, there are many different ethnic groups and each group has made its unique contributions to the State. It is these contributions and the experiences along with it that shape the heritage of the peoples in Hawaii. Our State is rich in such backgrounds that have shaped our unique society. Our society embraces such ethnic groups as the Chinese, the Hawaiians, the Japanese, the Portugese, the Korean, the Filipino, to name a few. These ethnic groups came together generations ago, many coming from another country with the intentions of working or living here in Hawaii. For those who preceded us, the past was not always pleasant. More often than not, it is a history of harsh adjustments, suffering, and a basic struggle for survival. Those who came before us, for example, provided the backbone for the sugar and pineapple industries-- they did the planting, the harvesting and labored to make the fields productive. Their efforts formed the foundation for the economic system of the islands.

These various groups, coming from different countries, had also to adjust their lifestyles accordingly. These cultural uniqueness should be acknowledged and appreciated, but this kind of understanding can come only with the knowledge of the past. Much of the history which is available to us today does not inform our children of our parents' and grandparents' contributions to Hawaii. Much of the history today is not representative of all the ethnic groups in Hawaii. The experience of all the different ethnic groups can be received first hand from the first generation immigrants who arrived here. This information can be preserved through direct conversations with them through tapings as proposed in the bill. However, because of the advanced age of these people, it is important that such experiences be recorded with expediency.

and means to develop and maintain minimum health standards in our public schools was started. Our children have profited from this mandate. Records show that literally thousands of children have been cared for and treated under this program. Moreover, extensive efforts have been made to educate our youth in the area of preventive health care. An on-going program of health appraisal has been instituted. This has resulted in many potential health problems being 'nipped in the bud.'

The good news about this bill is that it expands these worthwhile services to all of our children in Hawaii's public schools. I would like to commend the members of our Committee, Democrats as well as the Republicans, for moving this bill out of our Committee unanimously.

Members of the House, I urge you to consider the merits of House Bill 165 and I ask that we give unanimous consent to this measure."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 165, as amended, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 550 on H.B. No. 378 (Deferred from March 12, 1975):

On motion by Representative Kawakami, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 378, having been read throughout, passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Abercrombie, Carroll, Evans, Poepoe and Sutton voting no, and Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 551 on H.B. No. 379 (Deferred from March 12, 1975):

Representative Kawakami moved that the report of the Committee be adopted and H.B. No. 379, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Kawakami then rose and stated:

"Mr. Speaker, just for the curiosity of the members of the House and for the people up in the gallery, I guess they are quite curious to see what a manganese nodule looks like. The Majority Floor Leader has it in his hands right now. It may look like a petrified musubi (rice ball) but it is not--it is a manganese nodule."

Representative Roehrig then stated:

"Mr. Speaker, I would like to speak in favor of this bill and I would just like to say that this is certainly a step in the right direction to investigate the manganese industry potential for the State of Hawaii and I would hope that Representative Kawakami would have some CIP next session for our Hawaiian navy."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 379 passed Third Reading by a vote of 48 ayes to 1 no, with Representative Naito voting no, and Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 552 on H.B. No. 1596, as amended (Deferred from March 12, 1975):

On motion by Representative Sakima, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1596, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 553 on H.B. No. 1886 (Deferred from March 12, 1975):

Representative Lee moved that the report of the Committee be adopted and H.B. No. 1886, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Sutton, upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak against this measure. It would increase the number of exempt employees in the Lieutenant Governor's Office.

Mr. Speaker, Oliver Wendell Holmes said that 'one page of history is worth a hundred pages of law.' Let

us go back and see when you Democrats gave us too many employees in the Office of Lieutenant Governor James Kealoha. We do not wish to do the same in the present circumstances."

Representative Suwa then rose and upon being recognized, stated:

"Just pointing out as a 'sidewalk attorney'--I don't know what the Stanford graduate attorney is trying to interpret, but I think he is way off the field."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1886 passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Carroll, Larsen, Medeiros, Poepoe, Soares and Sutton voting no, and Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 554 on H.B. No. 1508, HD 1 (Deferred from March 12, 1975):

Representative Cayetano moved that the report of the Committee be adopted and H.B. No. 1508, HD 1, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Cayetano then rose and upon being recognized by the Chair, stated:

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

Mr. Speaker, much discussion has taken place about the projected Highway Fund deficit. We know that unless additional revenues are forthcoming for the Highway Fund, not only will necessary highway construction and maintenance be adversely affected, but also our State debt ceiling, as Highway Fund supported appropriations will then be considered part of the general appropriations of the State.

It is well understood that the primary source of revenue of the Highway Fund is the fuel tax. However, what is apparently not well understood is that the continued complete reliance on fuel taxes as the only source of revenues for the Highway Fund will prove to be a temporary and

illusory solution to a long term and real problem.

Mr. Speaker, it is easy to believe that only a fuel tax increase will solve our problems. We have been told that such an increase would generate about 10.5 million dollars annually, enough to carry us through the biennium. Thus, it appears that the best solution is to raise the fuel tax. It is easy to administer--people are familiar with it, and it does not require us to explain anything, other than that we need more money. However, Mr. Speaker, the easiest way is, as you well know, not always the best way.

If taxes were to be designed merely by their revenue generating capacity and ease of administration, the agonizing process of legislating taxation would be made much simpler. However, I believe that taxation, especially taxation that falls on every citizen, regardless of income, must be designed to mitigate against regressivity and inequity. Further, I believe that in adopting tax legislation, it is our obligation and duty to consider how such legislation affects or promotes State objectives. Thus, rather than considering only revenue generating capacity, we must consider how Highway Fund revenues can be increased and at the same time consider tax equity and our State objective of conserving energy.

Mr. Speaker, continued complete reliance on the fuel tax would be especially unfair to many who cannot afford these increases and who, because of our State's uniquely limited land area and land use patterns, do substantially less discretionary and recreational driving than their mainland counterparts and, as a result, have comparatively little opportunity to reduce their fuel consumption.

Continued complete reliance on the fuel tax to provide funds for highways and highway related activities not only unfairly penalizes those with low incomes who, for a variety of reasons, must drive long distances, but fails to come to grips with the very real problems of an impending increase in the federal fuel tax of about 10-15 cents per gallon in the immediate future, perhaps up to a 40 cents per gallon increase in the next four years, and also the possibility of another oil embargo and the obvious conflict with our State's energy conservation

policy--all or any of which would seriously affect the revenue producing capability of the State fuel tax for the simple reason that they would compel a reduction in fuel consumption which in turn would result in less revenue for the Highway Fund. It simply does not make sense, Mr. Speaker, for us to tell our people on the one hand to conserve energy by driving less and then to try and pay our ever-increasing highway debt service, highway construction and maintenance expenses by relying solely on a revenue base, the fuel tax, which requires our people to drive more for the needed increased revenue.

Given these facts, I cannot help but conclude that rather than viewing the impending Highway Fund deficit as simply a revenue problem, we should consider a more comprehensive and long-term solution that must include the consideration of fuel conservation both as a goal as it affects fuel tax revenues, energy conservation, and tax equity. We must begin to fashion laws which will help control the numbers and sizes of vehicles and our State's capacity to accommodate these vehicles in terms of our limited land area, highway capacity, and funding ability.

Mr. Speaker, the proposed 3½ cent fuel tax increase is only the beginning. It is good only for this biennium. The Administration has testified that it will seek an additional three cent increase for the next biennium. Add to this another possible ten to fifteen cents fuel tax increase per gallon by the federal government and the picture is clear--not only will the price of gasoline soon be out of the reach of many of our people but the stability of our Highway Fund will be gravely threatened.

I submit, Mr. Speaker, that we must look to a new source of tax revenue to supplement our State fuel tax. House Bill 1508, House Draft 1, will provide for a State vehicle tax based on weight with a progressive rate schedule. It will provide a stable source of revenue to the Highway Fund, one which will not be affected by an oil embargo; it will abate the inequity of a State and federal fuel tax; it will mitigate the regressive effect of a fuel tax on low income

families who must drive long distances; it will encourage the purchase and use of lighter and presumably more fuel saving vehicles; it will reallocate the tax burden to those heavier vehicles which presumably cause more wear and tear and require more roadway and parking capacity; it will encourage the use of smaller cars and lighter vehicles by taxing new registrations more heavily than existing ones on the basis that such new registrations will be effected with the knowledge of the new taxes; and also it will balance the relationship between fuel taxes and vehicle taxes which support the roadway system in Hawaii.

Mr. Speaker, used in combination with the fuel tax, the progressive vehicle weight tax embodied in House Bill 1508, House Draft 1, will go a long way to place the Highway Fund on a sound, but more importantly, equitable and logical base. From a planning perspective, we will then be meeting State objectives with regard to energy conservation and tax equity while, at the same time, providing a more stable source of revenue to the Highway Fund.

Mr. Speaker, in closing, I wish to thank the members of the Finance Committee and its Chairman and the members of the Energy and Transportation Committee, some of whom had serious doubts about the viability of a vehicle weight tax, but we decided to put it out on the floor to the rest of this House. In that regard, Mr. Speaker, I respectfully urge this body to adopt House Bill 1508, House Draft 1."

Representative Poepoe then rose on a point of order and stated:

"Mr. Speaker, this side of the aisle accepts that speech as a speech for the fuel tax and for the vehicle weight tax plus other recommendations on philosophy of this State. Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1508, HD 1, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 555 on H.B. No. 688, HD 1 (Deferred from March 12, 1975):

Representative Lee moved that the report of the majority of the

Committee be adopted and H.B. No. 688, HD 1, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Cobb then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak against House Bill 688, House Draft 1. I do so with a sense of frustration, sorrow and even tragedy. Frustration in the sense this was not presented to the full House earlier for consideration and the choice becomes, on this night, either to amend the bill and thus kill it or to take it as is; a sense of tragedy in that I would not object to this rate of retirement being applied to any individual who had suffered disability or to the family of an individual who had died. But this bill, in effect, will apply a ratio of 3.5 for non-elective officials who do not face the voters every two years.

It is my hope that in the other body of this Legislature, this measure can be amended to cover those two points of compassion that I outlined, but since it has to be and since it has not been presented to us for earlier consideration and discussion, it amounts to a spoil system without regard to the long-term effect of where do we draw the line after this.

For those reasons, I must vote against it. Thank you, Mr. Speaker."

Representative Carroll was then recognized by the Chair and stated:

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

The persons who are the subject of this bill, while it is true they are not here by way of elective office, are possibly more subject to the vagaries of elective office than even most of us, with even less control, and I suggest, Mr. Speaker, that this bill is absolutely in order--somewhat overdue. I urge everyone to vote for it. Thank you."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.B. No. 688, HD 1, passed Third Reading by

a vote of 45 ayes to 4 noes, with Representatives Ajifu, Clarke, Cobb and Larsen voting no, and Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 556 on H.B. No. 1831 (Deferred from March 12, 1975):

On motion by Representative Lee, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1831, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. 557 on H.B. No. 814, as amended (Deferred from March 12, 1975):

Representative Lee moved that the report of the Committee be adopted and H.B. No. 814, as amended, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Cobb then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak against House Bill 814, House Draft 1.

In effect, what we are doing here is, instead of having seventeen department heads, now we will have eighteen at that pay level. For, in effect, the provisions of this bill were authorized on a discretionary basis and payment to the Manager of the Stadium Authority will be up to the level of a department head. It is kind of ironic, Mr. Speaker, because this is directly contrary to the action we took just a day ago in regards to Chapter 37 in our passage of House Bill 10 and because, with this bill, we are making completely discretionary the salary of the Stadium Authority for we say that up to the same amount is paid to a department head.

It seems to me, Mr. Speaker, if we are going to be imposing legislative controls on spending, that we do so on the basis of this measure as well. I note also on the digest of the measure the funding application for General Funds--it says 'none'. It seems to me that a department head would certainly have some implication of funds."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 814, as amended, passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Abercrombie, Carroll, Cobb, Larsen and Yuen voting no, and Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 558 on H.B. No. 1742, HD 1 (Deferred from March 12, 1975):

On motion by Representative Lee, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1742, HD 1, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 559 on H.B. No. 714, as amended (Deferred from March 12, 1975):

Representative Yuen moved that the report of the Committee be adopted and H.B. No. 714, as amended, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Yuen then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak in favor of House Bill 714, House Draft 2, establishing statewide equivalent learning centers.

We have no more important mission before us today than expanding and improving the educational opportunities for all our children. The concept that every child deserves the chance to attain the highest level of education of which he is capable is not new to this Legislature--it is a traditional ideal of democracy. But it is time that we advanced toward the fulfillment of this ideal with more energy and less delay.

Today, more than at any time in our history, we need to develop our intellectual resources to the fullest. But the facts of the matter are that many of our students are not educated to their maximum capacity--and they are not, therefore, making the maximum contribution

to themselves, to their families, and to their communities. Their talents are sadly below the levels of their skills, knowledge, and creative ability. Educational failure results in a feeling of hopelessness and anguish for those who must experience it. For society, it means increased unemployment and public welfare costs. This, we cannot afford--alternative schools, we can afford.

By alternative schools, I mean schools such as Olomana School, the Waipahu Storefront School, and Honaunau School, which offer students an atmosphere which they find conducive to learning. Unlike the traditional school setting, the alternative school attempts to reach students on a very individualized basis, helping them to achieve optimum levels of education consistent with their needs, desires, and abilities. The open and relaxed environment at these alternative schools allows students who simply cannot be reached through the more traditional methods of teaching, to learn in an alternative setting.

The \$1,000,000 appropriated in House Bill 714, House Draft 2, is the most profitable investment that we can make. For it will provide those students who can no longer function in the traditional school setting the richest reward we can confer--an education. Therefore, Mr. Speaker, I urge all members to support this bill.

Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 714, as amended, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 560 on H.B. No. 639, HD 1 (Deferred from March 12, 1975):

On motion by Representative Segawa, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 639, HD 1, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 561 on H.B. No. 934, as amended (Deferred from March 12, 1975):

On motion by Representative Yamada, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 934, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 562 on H.B. No. 239, as amended (Deferred from March 12, 1975):

Representative Yamada moved that the report of the Committee be adopted and H.B. No. 239, as amended, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Kamalii then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak in favor of House Bill 239, House Draft 2.

This bill establishes an income tax credit for low-income household renters. Its purpose is to give those renters, with low or modest income, a tax break. The average wage earner who rents deserves a tax credit similar to the home owner who is allowed a home exemption.

In 1970, the Legislature adopted a system of income tax credits for household renters. The purpose of the credits was to reduce the higher tax burden of renters.

In 1974, the Legislature repealed all the existing credits--consumer, educational, drug and medical, and renter--and replaced them with a single excise tax credit. This consolidation simplified the credit system and, although it is as yet untested, should greatly relieve the problems both claimants and the administration experienced under the multiple credit system. However, the repeal of the renter credit again emphasized the problem of the higher tax burden of renters in comparison with homeowners. The new excise credit cannot solve this problem since it does not distinguish between renters and homeowners.

The enactment of House Bill 239, House Draft 2, would re-establish the necessary renter credits and provide for equal treatment of both renter and homeowner under the State's tax laws. Therefore, in order to have an equitable system of tax credits, I ask the members of this honorable body to vote 'yes' on House Bill 239, House Draft 2.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 239, as amended, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 563 on H.B. No. 1798, HD 1 (Deferred from March 12, 1975):

On motion by Representative Sakima, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1798, HD 1, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 564 on H.B. No. 867, as amended (Deferred from March 12, 1975):

Representative Yuen moved that the report of the Committee be adopted and H.B. No. 867, as amended, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Machida then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak in favor of House Bill 867, House Draft 2.

The education of our children is a matter of primary concern to the people of this State. It yields tangible returns in economic growth, an improved citizenry, and higher standards of living. But even more importantly, education historically earned a place of high respect among our forefathers as a means of personal advancement and as a basic benefit of a free and democratic civilization. It is our responsibility to do whatever needs to be done to provide education

of the highest possible quality.

A key to educational quality is assurance of teaching excellence throughout the school year. Unfortunately, Mr. Speaker, teachers regularly assigned to a class sometimes fall ill or for other reasons are unable to attend their classes. In those instances, a substitute teacher is required, and it is imperative that the substitute provide the same level of teaching as the regular teacher.

Until now, the substitute teacher has been sadly neglected in our educational system. However, House Bill 867, House Draft 2, recognizes the importance of substitutes and seeks to rectify some of the wrongs that the substitute has had to endure. If we are to ask that substitutes provide our children with the same quality education that regular teachers do, and if we ask them to meet similar certification requirements, then it is only just that they receive appropriate benefits in return. In particular, Mr. Speaker, I strongly support the increase in pay for substitute teachers. No longer can they be regarded as mere babysitters, but as quality teachers offering students a continuously high level of learning. If we expect to hire qualified and effective substitute teachers, then we should be willing to pay them accordingly.

To help achieve better educational quality through improved substitute teaching services, I urge everyone in this chamber to support House Bill 867, House Draft 2.

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 867, as amended, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 565 on H.B. No. 1458 (Deferred from March 12, 1975):

On motion by Representative Sakima, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1458, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 566 on H.B. No. 1799, as amended (Deferred from March 12, 1975):

On motion by Representative Takamura, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1799, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 567 on H.B. No. 1842, HD 1 (Deferred from March 12, 1975):

On motion by Representative Sakima, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1842, HD 1, having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Carroll voting no, and Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 568 on H.B. No. 866 (Deferred from March 12, 1975):

On motion by Representative Yuen, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 866, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 569 on H.B. No. 1117, as amended (Deferred from March 12, 1975):

Representative Ho moved that the report of the Committee be adopted and H.B. No. 1117, as amended, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Abercrombie then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, Queen Liliuokalani, the last of the Hawaiian monarchs, took the throne in January of 1891 upon the death of her brother, David Kalakaua. Her two year reign was one of confrontation and bravery. She attempted to proclaim a new constitution to restore some of the power lost by the monarchy and attempted to protect the rights of the native Hawaiians. On January 17, 1893, Liliuokalani abdicated her throne after troops from the

USS Boston surrounded Iolani Palace and arrested U.S. Minister John L. Stevens. The deposed Queen made several attempts to the United States, appealing to President Cleveland to investigate the cause and legitimacy of the revolution. Queen Liliuokalani later returned to writing and music. She died in 1917 at the age of 79, a symbol of liberty and freedom for Hawaii.

The State Capitol should exemplify and symbolize the character and spirit of Hawaii--its past, its present, and its future. The rotunda of the Capitol displays a sculpture of Father Damien, a figure prominent in the annals of Hawaiian history. The history of Hawaii is unique among American states for the State of Hawaii descends directly from a royal monarchy. The representation of the monarchy in the State Capitol will bring to the people of our State and many of our visitors increased awareness and a permanent reminder of the people who played important roles in the development of Hawaii.

The purpose of this Act is to recognize that the State of Hawaii, while occupying a progressive role in the modern world, must be ever mindful of the richness of the society, the people, and the heritage of Hawaii preceding the annexation of Hawaii by the United States.

Mr. Speaker, this is a moment of joy for me to be able to present this bill to the House which, in a small way, I hope, if it passes, will help to repay all that I owe to the people of the State of Hawaii, to the heritage of these islands for giving me my home."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1117, as amended, entitled: "A Bill for an Act relating to 'The Spirit of Liliuokalani' passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 570 on H.B. No. 1344 (Deferred from March 12, 1975):

On motion by Representative Sakima, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.B. No. 1344, having been

read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

Stand. Com. Rep. No. 571 on H.B. No. 608 (Deferred from March 12, 1975):

On motion by Representative Uechi, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 608, having been read throughout, passed Third Reading by a vote of 48 ayes, with Representatives Ikeda, Lunasco and Roehrig being excused.

Stand. Com. Rep. No. 572 on H.B. No. 1867, HD 1 (Deferred from March 12, 1975):

Representative Uechi moved that the report of the Committee be adopted and H.B. No. 1867, HD 1, having been read throughout, pass Third Reading, seconded by Representative Cobb.

Representative Carroll then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak in favor of House Bill 1867, House Draft 1.

This bill, if it becomes law, will protect our local endemic plant and animal life. However, it is lacking in that it does nothing to help nationally and internationally endangered wildlife. It makes no provision to prohibit or to even inhibit sales of articles made from the bodies of a number of the estranged species such as the turtle, whales, alligators and others within the State of Hawaii in terms of intra-state commerce.

I urge all to vote 'aye' on this measure in the hope that Mrs. King will plagiarize the language contained in my endangered species bill which I introduced and I hope that she will incorporate it into a Senate draft and send it back over here. Thank you, Mr. Speaker."

Representative Soares then rose on a point of inquiry:

"Would you rule as to whether or not Representative Sutton is a threatened species of this House?"

The Chair responded:

"I believe that problem is with the minority."

Representative Sutton then rose and stated:

"Mr. Speaker, I suggested tonight when they had this free trip to Guam and Okinawa, that we send three of our Representatives back to Portugal."

The Chair replied that the point was well made.

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1867, HD 1, passed Third Reading by a vote of 49 ayes, with Representatives Ikeda and Lunasco being excused.

At 8:47 o'clock p.m., on request by Representative Evans, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 8:54 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Ikeda.

Stand. Com. Rep. No. 573 on H.B. No. 516, as amended (Deferred from March 12, 1975):

Representative Roehrig moved that the report of the majority of the Committee be adopted and H.B. No. 516, as amended, having been read throughout, pass Third Reading, seconded by Representative Uechi.

Representative Takamura then rose and stated:

"Mr. Speaker, I rise to speak in favor of House Bill 516, House Draft 1.

Mr. Speaker, House Bill 516, House Draft 1, is basically a kind of housecleaning bill that is intended to modernize and update Chapter 577 which is the law relating to minors' rights. Basically, what we are doing is just eliminating some archaic and, in some cases, unenforceable, and other cases, discriminatory language. For example, there is language in there that we are repealing, that forbids unmarried females under the age of sixteen from loitering on the

streets of Honolulu and the public streets of Hilo between the hours of 8:00 p.m. to 4:00 a.m. While I can see how we might need a law like this to protect the women of Hilo, I don't think it is that necessary in other states. But getting back, I understand there are some objections because, apparently, some members feel that either we're infringing on the rights of parents or we are not being strict enough with regard to the penalties imposed upon parents whose children violate this law. My only answer to that is I don't see any language that does that and, secondly, I believe that if they wish to make the penalties stronger, that they can do that through a separate bill and at another time. I believe this is a simple bill that should be passed on its merits.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.B. No. 516, as amended, passed Third Reading by a vote of 44 ayes to 6 noes, with Representatives Ajifu, Medeiros, Oda, Poepoe, Soares and Sutton voting no, and Representative Lunasco being excused.

The Chair directed the Clerk to note that H.B. Nos. 1354 and 258 had passed Third Reading at 7:46 o'clock p.m.; 1746 at 7:48 o'clock p.m.; 1294 and 1312 at 7:49 o'clock p.m.; 1778, 1340 and 1779 at 7:50 o'clock p.m.; 801 and 857 at 7:51 o'clock p.m.; 374 and 990 at 7:52 o'clock p.m.; 1884 at 7:53 o'clock p.m.; 996 and 597 at 7:54 o'clock p.m.; 1740, 321 and 97 at 7:55 o'clock p.m.; 318 and 482 at 7:56 o'clock p.m.; 277 at 7:57 o'clock p.m.; 399 and 453 at 7:58 o'clock p.m.; 1732 at 7:59 o'clock p.m.; 161 at 8:04 o'clock p.m.; 1256 at 8:08 o'clock p.m.; 165 at 8:12 o'clock p.m.; 378 at 8:14 o'clock p.m.; 379 and 1596 at 8:15 o'clock p.m.; 1886 at 8:16 o'clock p.m.; 1508 at 8:25 o'clock p.m.; 688 and 1831 at 8:26 o'clock p.m.; 814 at 8:29 o'clock p.m.; 1742 at 8:30 o'clock p.m.; 714 at 8:32 o'clock p.m.; 639 at 8:33 o'clock p.m.; 934 at 8:34 o'clock p.m.; 239 and 1798 at 8:36 o'clock p.m.; 867, 1458, 1799 and 1842 at 8:40 o'clock p.m.; 866 at 8:41 o'clock p.m.; 1117 and 1344 at 8:44 o'clock p.m.; 608 at 8:45 o'clock p.m.; 1867 at 8:47 o'clock p.m.; and 516 at 8:55 o'clock p.m.

THIRD READING

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

H.B. No. 1766

On motion by Representative Yamada, seconded by Representative Yap and carried, H.B. No. 1766, HD 1, was recommitted to the Committee on Consumer Protection and Commerce.

H.B. No. 1758

On motion by Representative Yamada, seconded by Representative Yap and carried, H.B. No. 1758 was recommitted to the Committee on Consumer Protection and Commerce.

H.B. No. 1597

On motion by Representative Yamada, seconded by Representative Yap, H.B. No. 1597 passed Third Reading by a vote of 39 ayes to 11 noes, with Representatives Ajifu, Amaral, Clarke, Kamalii, Larsen, Medeiros, Oda, Poepoe, Santos, Soares and Sutton voting no, and Representative Lunasco being excused.

H.B. No. 1820

On motion by Representative Yamada, seconded by Representative Yap, H.B. No. 1820 passed Third Reading by a vote of 44 ayes to 6 noes, with Representatives Abercrombie, Ajifu, Cobb, Naito, Roehrig and Sutton voting no, and Representative Lunasco being excused.

H.B. No. 815

On motion by Representative Takamura, seconded by Representative Shito, H.B. No. 815 passed Third Reading by a vote of 50 ayes, with Representative Lunasco being excused.

H.B. No. 92

Representative Blair moved that H.B. No. 92, having been read throughout, pass Third Reading, seconded by Representative Kawakami.

Representative Blair then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak in favor of House Bill 92, House Draft 1, commonly known as the Shoreline Protection Bill.

Mr. Speaker, this bill amends Hawaii Revised Statutes, Chapter 205A, on coastal zone management to provide interim protection until this Legislature enacts a coastal zone management program pursuant to Public Law 92-583.

Mr. Speaker, this protection is necessary to avoid permanent loss of valuable resources and the foreclosure of management options. This interim protection is effected by the establishment of special management areas not less than 100 yards inland from the shore. The County Planning Commission, or other delegated authority, would administer the permits under policy and guidelines provided in the statute.

Mr. Speaker, your Committee has addressed the same concerns expressed by the Council of Presidents and other shoreline protection groups but with procedural differences:

1. We have set a minimum of 100 yards for the special management area and given each county the option to extend beyond that distance.

2. We have delegated the authority to administer the permit system to the counties for two reasons: First, it avoids the establishment of five new, expensive, and inefficient commissions; and second, it allows the permit system to become operational in sixty days rather than the twelve or more months required by the commission structure. Certainly, speed in implementation is important in an interim permit system; and finally, there is no stabilized areas excluded from controls.

We have opted, in short, for a system that focuses more narrowly but which will become operational faster and will be administered more easily and evenly.

Mr. Speaker, to quote from the guidelines established by this legislation: 'No development shall be approved unless the authority has first found that the development will not have any substantial adverse environmental or ecological effect except as such adverse effect is clearly outweighed by public health and safety.'

Mr. Speaker, I believe this legislation will accomplish that laudable goal, as well as or better, than any alternatives your Committee studied.

Mr. Speaker, I should add that some incorrect technical language on procedure was included and we will so notify the Senate and work with them to correct it. Mr. Speaker, the incorrect language may be construed to restrict citizen participation, contrary to the intent of the Committee members of both parties in the decision making session. The record should be clear that in conference, we will fight to clarify and expand every measure of this bill so as to maximize citizen participation.

Mr. Speaker, the shoreline deserves preservation and this bill deserves our votes. Thank you."

Representative Soares, upon being recognized by the Speaker, stated:

"Mr. Speaker, I rise to speak in favor of this bill and in so doing, to echo the sentiments of the Republican group in the manner in which we have worked out this problem of the contradiction that was expressed by our previous speaker. I think it is very important that we work together in providing one another with the kind of openness in decision making that brings about the interchange of ideas that makes for better legislation. Many of our members have expressed in Committee, our deep concern for the environment and the shoreline, and I hope that this is the beginning of the joint effort carried on in conference to bring about the kind of coastal zone management and shoreline that this bill asks for.

Thank you, Mr. Speaker."

The motion was put by the Chair and H.B. No. 92 passed Third Reading by a vote of 50 ayes, with Representative Lunasco being excused.

H.B. No. 1572

On motion by Representative Yamada, seconded by Representative Yap, H.B. No. 1572, having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Lunasco

being excused.

H.B. No. 1839

Representative Shito moved that H.B. No. 1839, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Shito, upon being recognized by the Speaker, stated:

"Mr. Speaker, I rise to speak in favor of House Bill 1839.

House Bill 1839 makes an appropriation of \$1.3 million to finance land condemnation proceedings as stipulated under Act 307. This Act has empowered the State to condemn tracts of land in which 50% or more of its homeowners express the desire to purchase their lots. It has been eight years since Act 307 has passed; it has been four years since the passage of a companion bill which calls for the State to issue bonds to finance such condemnation. Despite these two measures, however, we have not moved one step toward giving the individual the opportunity to own their lots in fee. Hampering enactment has been the dispute of the constitutionality of Act 307 brought about by the bond council in refusing to issue bonds in accordance with the Act. And while we argue as to how to deal with the problem, already inflated land prices have escalated further and causing, in turn, the probability of higher renegotiated lands.

The question is simply this--is it constitutional for a government to condemn land for a non-public purpose; that is, to resell to individual homeowners? The answer can be best provided by a judge from our Supreme Court. This they will do, but only so after a genuine adversary court proceeding.

House Bill 1839 is a vehicle that can do this. Passage will enable the State to finance the condemnation of a particular 5.0 acre parcel, thereby, setting into motion the necessary adversary court proceeding between the State and the lessor. Once that is done, it is only a matter of time before the court can decide one way or another, settling this issue once and for all. In view of today's sky-rocketing land prices, a bill of this nature is most desirable. We have already had eight years of inaction. Let us not have any

more. I strongly urge the members of this body to vote in favor of House Bill 1839. Thank you."

The motion was put by the Chair, and H.B. No. 1839 passed Third Reading by a vote of 50 ayes, with Representative Lunasco being excused.

At 9:05 o'clock p.m., on request by Representative Kunimura, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:10 o'clock p.m.

H.B. No. 1056

By unanimous consent, action on H.B. No. 1056 was deferred until the end of the calendar.

H.B. No. 178

Representative Abercrombie moved that H.B. No. 178, having been read throughout, pass Third Reading, seconded by Representative Suwa.

Representative Abercrombie then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, since the early 1900's, organized labor has played a pivotal role in the growth of Hawaii. The story of labor in Hawaii is rich with lessons and patterns of economic and political development, interactions between different cultures and are especially responsive to human conditions. Presently, labor organizations are exerting increasing influence on life in Hawaii. With the maturing of public collective bargaining and the development of increasingly complex economic and legal relationships, understanding the functions and future directions of labor is essential.

To date, the University of Hawaii has not been able to apply its resources to teaching and research in the field of labor studies as it might. Two educational consequences of this are aptly expressed in testimony given to your Higher Education Committee by ILWU, Local 142, and may I quote that with regard to the University: 'Providing impetus towards understanding patterns and trends in Hawaiian history, the University has shown little interest in researching, recording, or understanding the

social, ethnic and labor history of our people.' One result is that the irretrievable information that has been lost as older generations have died off without being given a chance to pass on their knowledge of past events which shaped our society is a result, and also, with regard to the University providing skill in training for personal and community decision making, again I quote: 'The University can also improve the quality of community decision making.'

Unions are an increasing part of the intra-structure of democracy and thousands of union leaders, officers, stewards, community men and women, are responsible for daily decisions and recommendations of the widest variety, ranging all the way from contracts and grievance settlements, or counseling a worker on a family problem, or his best retirement option, to deciding a union's policy on matters affecting the State's economy, environment or educational system. What improves the quality of such decisions benefits everyone who lives here. Given the historical, existing and future impact of labor on the life of Hawaii, I believe that the people of Hawaii benefit substantially from a comprehensive program of labor studies at the University of Hawaii.

Therefore, as a basic step toward establishing a solid, economically feasible program of labor studies that serves the University of Hawaii and the community at large, I believe it is essential that the Center for Labor Management and Education conduct a thorough review of all labor related problems in the State and provide some services immediately in the area of labor education.

Mr. Speaker, I hope that members in this chamber will vote positively--vote aye--on this bill as a great step forward in education in this State. Thank you so much."

Representative Kunimura then rose and upon being recognized, stated:

"After this bill becomes law, I would like to request that this matter be entered into the Journal--that the University of Hawaii look very carefully for guidance in the Higher Education Committee Report."

The motion was put by the Chair and H.B. No. 178 passed Third Reading by a vote of 50 ayes, with Representative Lunasco being excused.

H.B. No. 499

On motion by Representative Yamada, seconded by Representative Yap, H.B. No. 499 passed Third Reading by a vote of 50 ayes, with Representative Lunasco being excused.

H.B. No. 850

On motion by Representative Yamada, seconded by Representative Roehrig, H.B. No. 850 passed Third Reading by a vote of 50 ayes, with Representative Lunasco being excused.

At 9:15 o'clock p.m., on request by Representative Kunimura, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:16 o'clock p.m.

H.B. No. 141

On motion by Representative Yamada, seconded by Representative Yap, H.B. No. 141 passed Third Reading by a vote of 50 ayes, with Representative Lunasco being excused.

H.B. No. 1840

Representative Yamada moved that H.B. No. 1840, having been read throughout, pass Third Reading, seconded by Representative Garcia.

Representative Roehrig then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak in favor of this measure, and in doing so, I would like to give a little bit of history that is relevant on this measure. This measure would, in effect, prohibit banks, savings and loan associations, and others from engaging in industrial loan or industrial finance business.

Ten years ago, Mr. Speaker, I had the good fortune of working for Attorney General Bert Kobayashi and, in 1965, I had accomplished the divesting of the interlocking corporate directorships between the various firms in the State and the banking industry and, in doing so, competition, as the saying went at that time, gave others a chance. Forty-two directors

divested themselves of interlocking directorates. The adjustment was a voluntary one and the problem was cured without killing the patient. Much of this is in Sammy Amalu's history on Governor Burns and the State of Hawaii.

Following that up, Mr. Speaker, in 1970, this Legislature, in its wisdom, passed a measure prohibiting trust companies from engaging in real estate and stock brokerage business as well. Again, the intent was to spread the business around the community. This pattern of conduct by your Democratic Party and Administration during the era of Governor Burns, has been one of concern about the market place, about the kind of business that we were going to have in our community, about the kind of people and institutions that were going to run it.

In 1972, Mr. Speaker, in my opinion, this Legislature took a step backwards by passing a measure which gave banks the power to engage as wholly owned subsidiaries of holding companies in such things as insurance, finance companies and computer services-- just to name a few. Pursuant to this law that was adopted over the objections of some, one of our major banks, in the last twelve months, had a hearing before the Regulatory Agencies for application on a license to operate as an industrial loan company in competition with our other industrial loan companies presently existing. A denial was entered by the Director. Some of the things that he pointed out in his order are worth repeating for purposes of our understanding of this legislation which is now before us. In part, he said that 'allowing the applicants to be licensed as a industrial loan company under Chapter 408 through a wholly owned subsidiary will not provoke convenience and advantage of the locality or community in which the business of the applicant is proposed to be conducted.' He also said that 'since the applicants principal subsidiary is not permitted under present statutes to make second mortgage loans, the applicant should not be permitted to accomplish this through an indirect route.' In addition, the order said that 'consumer loan activity of the applicant conducted through its subsidiary, will not be adversely affected without an industrial loan license.' Applicant's earnings will not be substantially affected if they don't have an industrial loan license

and, finally, it states that 'applicant of the subject application would result in undue concentration of resources due to the resources of applicant's principal subsidiary as of June 30, 1974, being 1.392 times the total resources of all the industrial loan companies in Hawaii.'

This legislation that is before us, Mr. Speaker, is an attempt to reaffirm what the Director of Regulatory Agencies has recently held in his October ruling. It reaffirms that this Administration and this Legislature are dedicated to having the different business interests in the community share the action a little bit. My only concern is that the bill does not go far enough. There is a provision relating to 25 percent ownership which, I understand, includes a tie-up between one of our industrial loan companies and one of our banks. It also does not include out-of-state holding companies which it should also include. But it certainly is a step in the right direction and I think that every member of this House who is for the small guy ought to vote in favor of this bill.

Thank you very much."

Representative Ajifu, upon being recognized by the Chair, stated:

"Mr. Speaker, I would like to just have a moment. Rule 49 provides for voting rights of members and restrictions. Mr. Speaker, Rule 49.5 states: 'The Speaker may excuse a member who has a monetary interest in the question. . . .' Mr. Speaker, I believe there may be some members in this House that may have some conflict of interest."

Representative Garcia rose on a point of order and stated:

"Mr. Speaker, when the time comes for the vote, the individuals involved may declare conflict, but until that time, a ruling from the Chair is not necessary."

The Chair stated that the point was well taken.

Representative Ajifu continued:

"That is true, Mr. Speaker, therefore, I just want it to be

certain that the members of this House who may have a conflict be excused from voting."

The Chair stated:

"The Chair will rule at the proper time."

Representative Kihano was then recognized by the Chair and stated:

"Mr. Speaker, I would like to speak against House Bill 1840, House Draft 1.

Mr. Speaker, this bill stops competition by not allowing certain companies to have industrial loan companies. The basis of our country is that competition is always good, especially in the finance field, because it does lead to lower borrowing costs and better service to the public.

Mr. Speaker, the Federal law allows bank holding companies to have an industrial loan company. The Federal Reserve Board feels that competition among all financial companies is good for the public. A bill such as this, Mr. Speaker, I think, is discriminatory. It favors mainland companies vs. local companies because it only applies to banks, bank holding companies, savings and loan associations, and trust companies operating in Hawaii. Any mainland bank and bank holding company, savings and loan associations, or trust companies, will have an industrial loan license here in this State.

Let's be fair. Let's make the law applying to everyone equal and not favor special mainland companies. Thank you, Mr. Speaker."

Representative Yamada, upon being recognized by the Chair, stated:

"I rise to speak in favor of this bill.

Mr. Speaker, our present law, as it exists now, provides three classifications or a number of classifications--you have banks, savings and loan companies; you have industrial loan companies; you have credit unions--each with a function and each which meets certain needs of our community. Now, Mr. Speaker, what this bill addresses itself to is an attempt of a bank to circumvent these restrictions through the use of a holding company. Now, much

has been said that legislation like this stops competition.

Mr. Speaker, competition, I think, is very good. Competition within each designated field, whether it be banking, savings and loan associations, or industrial loan companies, I think is very good; however, Mr. Speaker, when this competition starts to go across the board, when the situation arises where, not only . . . say, a banking institution not only engages in banking, but also in other fields--this, Mr. Speaker, leaves room for possible monopolistic practices and this, Mr. Speaker, I do not believe the State of Hawaii favors because by such practices, competition, in fact, stops to the detriment of this State and all the people here. Now, much has been said that this bill is discriminatory as mainland banks, through the use of holding companies, can still go and obtain an industrial loan license. However, as I outlined, with this monopolistic tendency which is possible, I don't think such a situation arises as that mainland bank is not servicing the same lending market as this industrial loan company. Therefore, Mr. Speaker, I don't feel that argument is justified. So, really, Mr. Speaker, all this bill is attempting to do is to protect our residents by preventing any type of abuse that may occur from this vertical integration or this vertical cutting into all fields of our commercial lending field. For that reason, Mr. Speaker, I feel this bill, on its merit, is good and I urge all members to vote aye."

Representative Kunimura, upon being recognized by the Chair, stated:

"In respect to my colleague from Kauai, it is a good speech, but I would like to raise some questions here this evening on this matter, Mr. Speaker, which we are about to pass and set a policy in this State. I am told there is an application before the Regulatory Agencies of this State, and I know for the many years I have sat here in the Legislature, and many times when bills came up, we said, 'Hold it, there is a matter in court and this body should not act until that matter has been acted upon by the court.' Here again, the creation of the Legislature--one of the responsible

functions of the Department of Regulatory Agencies is to judge whether the application is valid and if competition is necessary or not. We are trying to get away and make moot this application that is about to be heard at the end of this month. What are we trying to do here tonight, Mr. Speaker? Are we trying to be inconsistent and say that the Regulatory Agencies does not have the qualification and the proper people to make the right decisions? Then we should do away with the Regulatory Agencies and put the money someplace else. But I feel that the Regulatory Agencies has acted in good faith; has done a real good job because this application before them has been once denied. Are we trying to say that we are afraid they may approve this? This is the question, Mr. Speaker. I think we are trying to put the cart before the horse."

Representative Blair then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I was prepared to vote unequivocally for House Bill 1840. When Representative Roehrig cited Sam Amalu, it's going to have to be an equivocal aye."

Representative Yamada again rose and stated:

"Mr. Speaker, in response to the prior statements--first of all, this matter is not before the court and, secondly, the fact that some of the reasons as stated by the previous speaker for the denial of the original application is this possibility of unfair and economic competition or leverage within the commercial lending field. Mr. Speaker, this bill really reaffirms the denial of the Regulatory Agencies.

Thank you, Mr. Speaker."

At this time, Representative Fong rose and stated that he is a stockholder in an industrial loan company and has minority interest, and asked the Chair for a ruling as to whether or not there was a conflict of interest.

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

Representative Inaba then rose and stated that he is an officer of an

industrial loan company and asked the Chair for a ruling as to whether or not there was a conflict of interest.

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

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

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

Representative Ajifu then rose and stated:

"Mr. Speaker. . .

The Chair replied:

"What purpose do you rise?"

Representative Ajifu answered:

"I would like to appeal the decision of the Chair."

The Chair replied:

"No motion on the floor. Mr. Clerk, roll call."

At 9:32 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:45 o'clock p.m.

The Chair recognized Representative Ajifu and requested that he make the proper motion.

Representative Ajifu responded:

"Yes, Mr. Speaker, I would like to appeal the decision of the Chair. That appeal would be for those three members who had questioned the possible conflict and, Mr. Speaker, I am questioning these three people."

The Chair then stated:

"Do you so move?"

Representative Ajifu replied:

"I move that there is an appeal."

Representative Kunimura then rose and stated:

"With great reluctance, Mr. Speaker-- I have never done this before, but I am going to second that motion because this is a bi-partisan house and this House is for all the people of this State."

Representative Ajifu then stated:

"Mr. Speaker, I move that when the appeal vote is taken that we take a roll call vote."

At 9:49 o'clock p.m., on request by Representative Abercrombie, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:20 o'clock p.m.

Representative Kunimura then rose and stated:

"Do I have the floor?" Will the Speaker yield to several questions?"

The Chair replied in the affirmative.

Representative Kunimura queried:

"Mr. Speaker, in your very honest and sincere opinion, what is conflict of interest?"

The Chair responded:

"I have ruled that there is no conflict on the basis that each member makes a disclosure. We have a disclosure law that each member of this House file his financial statements with the Ethics Commission and with the Office of the Speaker. I believe each one of us, before he was elected by his constituents, presumably knowing each member's interests, his employment, and the members here vote according to their conscience and what's good for the State and constituents."

Representative Kunimura continued:

"Is that your definition of conflict of interest?"

The Chair responded:

"On this floor, that is right."

Representative Kunimura further stated:

"Then, Mr. Speaker, does one thousand shares of Finance Realty and 450 shares of Finance Factors to you is immaterial?"

The Chair responded:

"On the question of voting on a question, the Chair rules that there is no conflict."

Representative Kunimura then stated:

"Then, Mr. Speaker, how would you rule if there were sixteen members on a Committee; nine members, including persons holding interests in a financial institution, make the majority. Does that not, in your decent opinion, create a conflict?"

The Chair replied:

"That question is not before the House. That is a conjectural question."

Representative Kunimura continued:

"Mr. Speaker, it is before the House. I don't want to be argumentative but we are dealing with a bill that was caused to come out on this floor--Standing Committee Report 579, and this bill would never have been on this floor tonight if this person was not allowed to sign the report because, then, it would have been eight and that is not the majority of the Committee. It is an issue, Mr. Speaker."

The Chair then stated:

"At this point, it is not an issue. The Committee report has been signed."

Representative Kunimura further stated:

"Then, Mr. Speaker, am I to understand that, in your honest opinion, the ethics law and the requirements to file our interest is a hoax because it is just a motion, Mr. Speaker."

The Chair replied:

"That is your opinion, not the Chair's."

Representative Kunimura then rose on a point of personal privilege and stated:

"I am aggrieved, Mr. Speaker, that this House is being run in a very shoddy manner. We are all responsible. We have gone to our constituents in the election and declared that we shall do everything in our power to represent, not private interest, but public interest. It grieves me, Mr. Speaker--I have known you for many years and many times we were shot on the same firing squad because of our closeness, and tonight, maybe temporarily, we part company. But, Mr. Speaker, I'd rather stand alone in this House, trying to do a job that is required of me by law and by conscience, then to make convenient decisions and convenient rulings and sit here quietly accepting all these conveniences. Mr. Speaker, count me as an independent from tonight."

The Chair responded:

"Representative Kunimura, the issue before the House is whether the Chair's ruling is sustained. After tonight, we will still be friends."

Representative Uechi then inquired whether or not the Chair would yield to a question to which the Speaker replied in the affirmative.

Representative Uechi questioned:

"Mr. Speaker, what I would like to know is, if the individual involved in this ruling asked the Chair to be excused from voting, how would you rule?"

The Chair responded:

"I would rule according to the House Rule which says that a member can raise a question of conflict and the Chair will rule. If the Chair rules that there is a conflict, he is excused. If the Chair rules that there is no conflict, he is not excused from voting."

The Chair then explained the motion on the floor:

"An 'aye' vote will sustain the ruling of the Chair; a 'no' vote will sustain the appeal."

The motion was put by the Chair and the Chair's ruling was sustained by a roll call vote of 44 ayes to 6 noes, with Representatives Ajifu, Kihano, Kunimura, Naito, Uechi and Ushijima voting no, and Representative Lunasco being excused.

The motion to pass H.B. No. 1840 on Third Reading was put by the Chair and H.B. No. 1840 passed Third Reading by a roll call vote of 28 ayes to 22 noes, with Representatives Abercrombie, Ajifu, Carroll, Cayetano, Evans, Hakoda, Ho, Kamalii, Kihano, Kunimura, Larsen, Medeiros, Naito, Peters, Sakima, Segawa, Shito, Soares, Takamine, Uechi, Ushijima and Yap voting no, and Representative Lunasco being excused.

At 10:30 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:34 o'clock p.m.

The Chair directed the Clerk to note that H.B. Nos. 1597 had passed Third Reading at 8:56 o'clock p.m.; 1820 at 8:58 o'clock p.m.; 815 at 8:59 o'clock p.m.; 92 at 9:03 o'clock p.m.; 1572 at 9:04 o'clock p.m.; 1839 at 9:05 o'clock p.m.; 178 and 499 at 9:14 o'clock p.m.; 850 at 9:15 o'clock p.m.; 141 at 9:16 o'clock p.m.; and 1840 at 10:30 o'clock p.m.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

H.B. No. 356 on Third Reading (Deferred from March 12, 1975):

Representative Uechi moved that H.B. No. 356, having been read throughout, pass Third Reading, seconded by Representative Inaba.

At 10:35 o'clock p.m., on request by Representative Kondo, the Chair declared a recess, subject to the call of the Chair.

At 10:50 o'clock p.m., the House of Representatives reconvened.

At this time, the Chair recognized Representative Peters who stated:

"I rise in opposition to this bill. Mr. Speaker, as you know, agricultural activity is basically a way of life in the Waianae district. This bill calls for the expanding qualifications of a farmer and as a consequence, allows for corporations to compete with the smaller farmers for our farm loan program as administered by the Department of Agriculture.

As I understand it, Mr. Speaker, this program was initially designed and implemented to meet the economic needs of the small farmer and not for big-time corporations. This is unfair, and I appeal to my colleagues, as responsible legislators, to vote this measure down. Thank you."

Representative Abercrombie then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I signed this bill and it was one of the first mistakes that I made, and I am sure it won't be the last. As you know, in the process here--I am learning my way along here and I signed it, and I signed it free and clear, and I shouldn't have done it. And the way to take care of things when you do something that is foolish, and when you do something that is actually against the best interest of the people, is to stand up, say what you did, and try to explain why you did it. It doesn't excuse it, but it may explain it. So I signed this bill, and I am sorry that I did. I am doing my best since I signed this bill to read things thoroughly and to pay closer attention to that which I signed.

This bill will do everything that Representative Peters said it will do. It will bring into the picture, as far as I am concerned, a kind of corporate interest in farming we did not intend to originally have in this State, but have come into it. I hope that everyone, if they will take a good look at the bill and read it very clearly, know in their own minds before they vote on it tonight that they will vote it down completely and under no circumstances do I want anyone to think that this will, in any way, shape, or form, make for progress in the State of Hawaii in Agriculture."

Representative Kunimura was then recognized by the Chair and stated:

"Mr. Speaker, I rise to speak against this bill this evening because, originally, the Legislature, in its wisdom, passed this Farm Loan Act. If we pass this measure tonight, it would no longer become the Farm Loan Act--rather, an Ag Loan Act. Broad, cover every spectrum of agriculture, but it is not my fear of large agriculture like sugar and pineapple that would be coming into this program, but rather, people

that invest in farm and not doing the farming themselves.

The original intent of this bill was to help the dirt farmer because he is the one that has a very difficult time getting loans from conventional institutions that make loans. If I may share with you my experience, Mr. Speaker. After my objection to this bill--and it was made known that I objected to the provisions of the amendment--I had several telephone calls and I would like to share with you that the person that needed the help from this very amendment is here tonight. He is not a dirt farmer; the corporation is in deep financial straits. I would like very much and I did my very best to try and find ways because they have been farming for about six years--they are sincere, but opening this door for a friend would open the door forever for all others to come, and the farmers that we tried to help originally would be left again in a lurch.

Mr. Speaker, I am going to vote against this bill, not against my friend. I am going to vote against this bill because I feel the farmers of Hawaii need our support. Thank you."

Representative Uechi then rose and stated:

"I am speaking in support of the bill. I believe that the merits of the bill have been discussed on the floor as well as in the caucus. This particular bill calls for the expansion of the Farm Loan Program and it would be of help to the diversified agricultural pursuits in the State of Hawaii, and that is the reason why the Chairman recommended passage of this particular bill. Thank you."

Representative Ajifu then rose and stated that he is a Director of a corporation that is in the agricultural pursuit 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 Ajifu was not excused from voting on this measure.

Representative Cobb then rose and stated:

"I rise in favor of this measure, and, in doing so, I am cognizant of the fact that several days ago I raised some questions on the floor of the House which were not fully answered. But since then, I have pursued the matter by going to the Small Business Administration and checking with federal agencies to determine whether there are safeguards already in the existing Small Business Administration's program as it pertains to loans. I found very strict policy, very strict limits and, in addition, a clear set of guides based on other long experiences with other states as well as Hawaii as to what kinds of loans will be made, to what kind of farmers, and more importantly, to what size. So although the questions were not answered three or four days ago when I first raised them, they have been answered now. I don't think the bill is perfect but I think there is a chance to improve it, both in the other house as well as a review in this House.

For that reason, I am going to support it."

Representative Kunimura again rose and stated:

"Suggestion made by the previous speaker that this bill is not a perfect bill but maybe we can make some amendments across the hall--are we going to jeopardize the farmers' future and let it be left to chance in the Senate? I don't want to do that. I want to make it absolutely sure that the welfare of the farmers in Hawaii, the small farmers, will be protected in this House."

The motion was put by the Chair and H.B. No. 356 failed to pass Third Reading by a vote of 18 ayes to 32 noes, with Representatives Abercrombie, Ajifu, Akizaki, Carroll, Cayetano, Clarke, Evans, Fong, Hakoda, Ho, Kamalii, Kawakami, Kihano, Kondo, Kunimura, Larsen, Machida, Medeiros, Mizuguchi, Peters, Poepoe, Sakima, Santos, Segawa, Shito, Soares, Sutton, Suwa, Takamine, Takamura, Yamada and Wakatsuki voting no, and Representative Lunasco being excused.

H.B. No. 999

On motion by Representative Segawa, seconded by Representative Naito, H.B. No. 999, having been read throughout, passed Third Reading by a vote of 50 ayes, with Representa-

tive Lunasco being excused.

H.B. No. 1056

On motion by Representative Kawakami, seconded by Representative Uechi, H.B. No. 1056, having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Lunasco being excused.

The Chair directed the Clerk to note that H.B. Nos. 999 had passed Third Reading at 11:02 o'clock p.m. and 1056 at 11:03 o'clock p.m.

At 11:03 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:05 o'clock p.m.

At this time, Representative Abercrombie rose and stated:

"This has been a trying evening all the way around and I would just like to remind the House about one piece of legislation if I might and that is House Bill 165, the comprehensive public school health services program kindergarten through grade 12. I, personally having observed its passage, would like to commend the Majority Leader for introducing it and I would certainly like to commend the Chairman of the Education Committee and the Health Committee for giving the children of this State an opportunity that has been sorely lacking. I think they have done a tremendous job and that it is something we can be proud of this evening."

Representative Carroll then rose and inquired whether or not the Majority Floor Leader would yield to a question, to which Representative Kimura answered in the affirmative.

Representative Carroll then inquired how the manganese nodule was acquired and how much it was worth.

Representative Kimura replied that it came from the ocean depth and that it was, at the moment, priceless.

Representative Soares then rose on a point of personal privilege and stated:

"Mr. Speaker, I think it is apropos tonight to give a lot of credit to the members of this honorable body for meeting under very trying circumstances and under very strained conditions. I think that this kind of interaction and respect for one another has got to be an example of our, hopefully, seventeen more days of decision making and trying experiences toward the end of this session. I would like to say this and let it end with the fact that as long as we are called the Honorable, as long as we can withstand pressures from the outside on our thoughts and our minds, we should have respect for one another because we are all here to satisfy the wishes of our constituents and to always respect the fact that fifty-one of us in this House represent almost a million people. I think tonight is an example of our solving some problems amongst ourselves but hopefully to adjourn, return to our homes, and come back with love in our hearts for our State and respect for the issues that confront us.

Thank you very much, Mr. Speaker."

The Chair responded:

"Your remarks are very timely and well taken."

Representative Kunimura then stated:

"Respect is one thing--treading on someone else is another thing. I will continue to respect every member of this House as long as you don't tread on me and I am going to be an independent hereafter because I enjoy being an independent and I serve notice on this House that I am a different member of the Legislature now that I have been emancipated."

ADJOURNMENT

At 11:11 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 11:00 o'clock a.m. on Friday, March 14, 1975.

FORTY-SECOND DAY

Friday, March 14, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend James Drew of St. John Vianney Church, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Amaral, Ikeda, Kawakami, Larsen and Lee, who were excused.

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

On motion by Representative Kimura, seconded by Representative Soares and carried, reading of the Journal was dispensed with and the Journal of the Forty-First Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 59 to 63) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 59) transmitting copies of a report prepared by the Department of Transportation in response to Act 186, Session Laws of Hawaii 1963, An Act Relating to the Hawaii State Ferry System and Making an Appropriation Therefor, was placed on file.

A message from the Governor (Gov. Msg. No. 60) transmitting copies of the annual report of the Director of Personnel Services in accordance with Section 77-13, sub-section (f), as amended, Hawaii Revised Statutes, was placed on file.

A message from the Governor (Gov. Msg. No. 61) transmitting a proposed House Concurrent Resolution which provides for the endorsement of policies to guide the State's economic and population growth and the establishment of a Joint Interim Committee to develop implementation actions needed to effectuate such policies,

along with the State of Hawaii Selected Growth Policies Plan prepared by the Department of Planning and Economic Development, was placed on file.

A message from the Governor (Gov. Msg. No. 62) transmitting copies of a report entitled: "A Special Analytical Study of the Leprosy Inpatient Program in Hawaii," was placed on file.

A message from the Governor (Gov. Msg. No. 63) transmitting copies of a report prepared by the Kohala Task Force in response to S.R. No. 226, was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 50 to 109) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 50) transmitting Senate Bill No. 86, SD 1, entitled: "A Bill for an Act relating to contractors," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 51) transmitting Senate Bill No. 91, SD 3, entitled: "A Bill for an Act relating to automotive repair dealers," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 52) transmitting Senate Bill No. 92, SD 2, entitled: "A Bill for an Act relating to the residential landlord-tenant code," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 53) transmitting Senate Bill No. 94, SD 3, entitled: "A Bill for an Act relating to motor vehicle mechanics," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 54) transmitting Senate Bill No. 110, SD 2, entitled: "A Bill for an Act relating to the Department of Health," which passed

Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 55) transmitting Senate Bill No. 182, SD 1, entitled: "A Bill for an Act relating to employment discrimination against the handicapped," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 56) transmitting Senate Bill No. 194, SD 1, entitled: "A Bill for an Act relating to improvements by assessments," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 57) transmitting Senate Bill No. 228 entitled: "A Bill for an Act relating to the exclusion of Hawaii Public Health Fund benefits from negotiation," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 58) transmitting Senate Bill No. 327, SD 2, entitled: "A Bill for an Act relating to driver's license renewal requirements," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 59) transmitting Senate Bill No. 329 entitled: "A Bill for an Act relating to highway safety," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 60) transmitting Senate Bill No. 330 entitled: "A Bill for an Act relating to State Wide Traffic Code," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 61) transmitting Senate Bill No. 332 entitled: "A Bill for an Act relating to exterior markings on vehicles used in carrying hazardous materials," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate

(Sen. Com. No. 62) transmitting Senate Bill No. 512, SD 1, entitled: "A Bill for an Act relating to arrests," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 63) transmitting Senate Bill No. 514, SD 1, entitled: "A Bill for an Act relating to arrests," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 64) transmitting Senate Bill No. 525, SD 1, entitled: "A Bill for an Act relating to cancer control," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 65) transmitting Senate Bill No. 528, SD 1, entitled: "A Bill for an Act relating to witnesses, rights of accused and counsel and other services for indigent criminal defendants," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 66) transmitting Senate Bill No. 534, SD 1, entitled: "A Bill for an Act relating to salary withheld for indebtedness to the government," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 67) transmitting Senate Bill No. 537 entitled: "A Bill for an Act relating to State parks and recreation areas," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 68) transmitting Senate Bill No. 717 entitled: "A Bill for an Act relating to the relationship between the State of Hawaii and the federal government," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 69) transmitting Senate Bill No. 864 entitled: "A Bill for an Act relating to transportation control," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate

(Sen. Com. No. 70) transmitting Senate Bill No. 950, SD 1, entitled: "A Bill for an Act relating to bicycles," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 71) transmitting Senate Bill No. 966 entitled: "A Bill for an Act relating to the Hawaii Bicentennial Commission," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 72) transmitting Senate Bill No. 1043 entitled: "A Bill for an Act relating to motor vehicle weight tax," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 73) transmitting Senate Bill No. 1133, SD 1, entitled: "A Bill for an Act relating to the Anatomical Gift Act," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 74) transmitting Senate Bill No. 1138 entitled: "A Bill for an Act relating to the residential landlord-tenant code," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 75) transmitting Senate Bill No. 1139 entitled: "A Bill for an Act relating to the residential landlord-tenant code," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 76) transmitting Senate Bill No. 1140 entitled: "A Bill for an Act relating to the residential landlord-tenant code," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 77) transmitting Senate Bill No. 1158 entitled: "A Bill for an Act relating to time of hearing and notice of petition for probate of wills or for letters of administration," which passed Third Reading in the Senate on

March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 78) transmitting Senate Bill No. 1161 entitled: "A Bill for an Act to repeal Section 531-11 relating to filing copies of certain records," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 79) transmitting Senate Bill No. 1214, SD 1, entitled: "A Bill for an Act relating to establishment of a Statewide Transportation Council and a Statewide Transportation Planning Program," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 80) transmitting Senate Bill No. 1301, SD 1, entitled: "A Bill for an Act relating to prohibition of certain types of ammunition," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 81) transmitting Senate Bill No. 1323, SD 1, entitled: "A Bill for an Act relating to housing," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 82) transmitting Senate Bill No. 1332, SD 1, entitled: "A Bill for an Act relating to conservation," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 83) transmitting Senate Bill No. 1458 entitled: "A Bill for an Act relating to Chapter 268, Hawaii Revised Statutes," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 84) transmitting Senate Bill No. 1548 entitled: "A Bill for an Act relating to civil service and exemption," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 85) transmitting Senate Bill No. 1560, SD 1, entitled: "A Bill for an Act relating to the powers of the Office of Consumer Protection," which passed Third

Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 86) transmitting Senate Bill No. 1582 entitled: "A Bill for an Act relating to banking," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 87) transmitting Senate Bill No. 1618 entitled: "A Bill for an Act relating to licenses of passenger carrying vehicles," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 88) transmitting Senate Bill No. 1621 entitled: "A Bill for an Act relating to Bishop Museum," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 89) transmitting Senate Bill No. 1651, SD 1, entitled: "A Bill for an Act relating to the expungement of arrest records," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 90) transmitting Senate Bill No. 1652 entitled: "A Bill for an Act relating to the maximum allowable civil penalties for violation of the Unfair Competition Law," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 91) transmitting Senate Bill No. 1654 entitled: "A Bill for an Act relating to the maximum allowable criminal penalties for violation of the Antitrust Laws," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 92) transmitting Senate Bill No. 1656 entitled: "A Bill for an Act relating to the Public Employees Health Fund," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 93) transmitting Senate Bill No. 1662 entitled:

"A Bill for an Act relating to State safety inspection of elevators, escalators, etc.," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 94) transmitting Senate Bill No. 1669, SD 1, entitled: "A Bill for an Act relating to petroleum products," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 95) transmitting Senate Bill No. 1675 entitled: "A Bill for an Act relating to civil service and exemptions," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 96) transmitting Senate Bill No. 1676 entitled: "A Bill for an Act relating to the University of Hawaii," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 97) transmitting Senate Bill No. 1679, SD 1, entitled: "A Bill for an Act relating to the State Board for Vocational Education," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 98) transmitting Senate Bill No. 1682 entitled: "A Bill for an Act relating to outdoor advertising," which passed Third Reading in the Senate on March 12, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 99) transmitting Senate Concurrent Resolution No. 99 designating March 5 of every year as Immigration Memorial Day of the Filipino Federation of America which was adopted by the Senate on March 13, 1975, was read by the Clerk and was placed on file.

By unanimous consent, action on S.C.R. No. 99 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 100) transmitting Senate Bill No. 535 entitled: "A Bill for an Act relating to the State budget," which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 101) transmitting Senate Bill No. 553, SD 1, entitled: "A Bill for an Act relating to public officers and employees," which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 102) transmitting Senate Bill No. 608, SD 1, entitled: "A Bill for an Act relating to firearms and ammunition," which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 103) transmitting Senate Bill No. 698 entitled: "A Bill for an Act relating to marriage licenses," which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 104) transmitting Senate Bill No. 1281, SD 2, entitled: "A Bill for an Act making appropriations to the Judiciary for the fiscal biennium July 1, 1975 to June 30, 1977 and authorizing the issuance of bonds," which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 105) transmitting Senate Bill No. 1345, SD 1, entitled: "A Bill for an Act relating to boards and commissions," which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 106) transmitting Senate Bill No. 1566 entitled: "A Bill for an Act relating to judicial offices," which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 107) transmitting Senate Bill No. 1628, SD 1, entitled: "A Bill for an Act relating to coordination of services for the developmentally disabled," which passed Third Reading in the Senate on March 13, 1975, was placed on file.

On motion by Representative Kimura, seconded by Representative Soares and carried, S.B. Nos. 86, SD 1; 91, SD 3; 92, SD 2; 94,

SD 3; 110, SD 2; 182, SD 1; 194, SD 1; 228; 327, SD 2; 329; 330; 332; 512, SD 1; 514, SD 1; 525, SD 1; 528, SD 1; 534, SD 1; 537; 717; 864; 950, SD 1; 966; 1043; 1133, SD 1; 1138; 1139; 1140; 1158; 1161; 1214, SD 1; 1301, SD 1; 1323, SD 1; 1332, SD 1; 1458; 1548; 1560, SD 1; 1582; 1618; 1621; 1651, SD 1; 1652; 1654; 1656; 1662; 1669, SD 1; 1675; 1676; 1679, SD 1; 1682; 535; 553, SD 1; 608, SD 1; 698; 1281, SD 2; 1345, SD 1; 1566; and 1628, SD 1 passed First Reading by title and further action was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 108) returning House Bill No. 360, HD 1, which passed Third Reading in the Senate on March 12, 1975, in an amended form, was placed on file.

By unanimous consent, H.B. No. 360, HD 1, as amended by the Senate, was placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 360, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 109) returning House Bill No. 1188 which passed Third Reading in the Senate on March 13, 1975, was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 17 and 18) were read by the Clerk and were disposed of as follows:

A communication from the Honorable Spark Matsunaga, U.S. Representative (Misc. Com. No. 17) acknowledging receipt of a copy of House Resolution No. 278, was placed on file.

A communication from the Honorable Hiram L. Fong, United States Senator (Misc. Com. No. 18) acknowledging receipt of a copy of House Resolution No. 393, was placed on file.

At 11:07 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:15 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Abercrombie, Kawakami, Larsen

and Lee.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, the rules were suspended for the purpose of permitting members to offer resolutions.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 606 to 609) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 606) congratulating Dr. Fujio Matsuda upon his inauguration as the Ninth President for the University of Hawaii, commending him for exceptional public service, and extending him best wishes for success was jointly offered by Representatives Sakima, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Cayetano, Clarke, Cobb, Evans, Fong, Garcia, Hakoda, Ho, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Roehrig, Santos, Segawa, Shito, Soares, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Sakima, seconded by Representative Takamura and carried, H.R. No. 606 was adopted.

At this time, Representative Sakima introduced the honoree, Dr. Matsuda, who was presented with a red carnation lei by Representative Stanley, and Mrs. Matsuda, who was presented with a white carnation lei by Representative Cayetano.

Representative Sakima presented Dr. Matsuda with a certified copy of the resolution.

The Chair appointed Representatives Garcia, Ushijima, Kimura, Yap, Poepoe and Soares to escort Dr. Fujio Matsuda to the rostrum and then stated:

"Members of the House and ladies and gentlemen, it is my

distinct privilege and honor to present to you the ninth president of our great University - University of Hawaii - Dr. Fujio Matsuda."

Dr. Matsuda responded with the following:

"Mr. Speaker, members of the House, ladies and gentlemen.

I am indeed very honored to be here this morning to receive your best wishes on my assumption of my duties officially as ninth president of the University of Hawaii. Throughout my life I have been blessed with many, many good friends who have helped me along the way, and in this chamber today are many such friends.

I recall many years ago, now, when I became the State Director of Transportation, having come to you as a rather green Professor of Engineering, assigned a task that he really didn't fully comprehend at that time, and working with you and learning from you. There are others who are more recent in this chamber. Unfortunately for me, there are some that I have yet to meet as persons and as fellow citizens of this State.

I've come to you before and I've sought and received help, always on the basis of merit of our proposals, and I have appreciated the help that we have received. I've also introduced issues into this chamber that caused you and I great difficulty, and I've not always won in these problems that I've caused. But, always, the resolution of these problems have been based on issues, on principles, on philosophy, and although I've lost many of those battles, I've retained your friendship, and for that I am very grateful.

As your new president of the University system, I recognize the tremendous responsibility that I have accepted. Higher education in the State, to me, represents the most important single undertaking of this Legislature, of the Executive, and of the people of Hawaii. We have gone through some hard times. I think we are on the way toward developing a renewed confidence in the people and in the process that takes place throughout our nine campuses in these islands. We will be seeking your help again this session and in sessions to come. At the moment, I have a bill

before you that undoubtedly will cause further difficulties, and maybe I shouldn't mention it on this kind of an occasion, but I will, because we will be discussing these in committee and elsewhere - a matter of importance to the State. I do hope we will discuss the merits, again, of that issue at the appropriate time, but for today, I do want to conclude. I know that you have a very busy agenda and I appreciate your taking time. I know how late you work at night and it is with a great deal of humility and appreciation that I accept this very great honor.

Thank you very much."

At 11:27 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:30 o'clock a.m.

A resolution (H.R. No. 607) welcoming Frank Dinoto, Governor of Kiwanis International District (California, Nevada, and Hawaii) and commending Kiwanis in their goal to aid children with learning disabilities was jointly offered by Representatives Clarke, Akizaki, Carroll, Cayetano, Evans, Hakoda, Kondo, Lee, Medeiros, Morioka, Oda, Poepoe, Shito, Soares and Sutton.

On motion by Representative Clarke, seconded by Representative Evans and carried, H.R. No. 607 was adopted.

Representative Clarke then introduced Governor Frank Dinoto and his wife, Mary Jane, who were presented with leis by Representative Evans and Hakoda, respectively; Mr. F. Parker Smith who received a lei from Representative Clarke; and fellow members of Kiwanis and Keywanettes who were in the gallery.

The Chair appointed Representatives Clarke, Evans, Yuen, Naito and Kihano to escort Governor Dinoto to the rostrum and then stated:

"My colleagues, ladies and gentlemen, and students, it is my privilege this morning to introduce to you Governor Frank Dinoto, Governor of the Kiwanis International District."

Governor Dinoto responded with the following:

"Mr. Speaker, members of the House, ladies and gentlemen.

The major emphasis programmed for Kiwanis this year is to identify and then assist children with learning disabilities, and we in Kiwanis are looking forward to working with you to solve this major problem. Both Mary Jane and I are honored to be with you today and to have received this Resolution. We are privileged to present to you a Resolution, on behalf of the Kiwanis Clubs in Division 22, representing the great State of Hawaii. This service award is presented to the Honorable James H. Wakatsuki, Speaker of the House, and to you, the members of this very honorable body, for your untiring and diligent effort in extending individual service and personal commitment by accepting your community responsibility. Kiwanis knows that the strength of our nation depends upon the calibre of individual citizens today and the seventeen clubs in Hawaii would like to recognize each of you for exemplifying good citizenship and thanking you for your service to the State of Hawaii.

Thank you very much."

The Chair then stated:

"On behalf of the members of the House I accept this certificate with great cherishment and humility. We certainly appreciate it and welcome you to Hawaii again. You're welcome all the time."

At 11:38 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:40 o'clock a.m.

A resolution (H.R. No. 608) congratulating the Castle High School Theatre Guild for their production of "My Fair Lady" was jointly offered by Representatives Evans, Ajifu, Amaral, Clarke, Hakoda, Ikeda, Kamalii, Medeiros, Oda, Poepoe, Santos, Soares and Sutton.

On motion by Representative Evans, seconded by Representative Ajifu and carried, H.R. No. 608 was adopted.

A resolution (H.R. No. 609) congratulating Ron Bright, Teacher of the Year, was jointly offered by Representatives Yuen, Ajifu, Akizaki, Blair, Cayetano, Clarke, Cobb, Evans, Fong, Garcia, Hakoda, Ho, Inaba, Kawakami, Kimura, Kiyabu, Kondo, Lee, Lunasco, Machida, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Sakima, Santos, Segawa, Shito, Soares, Stanley, Sutton, Takamine, Takamura, Ushijima and Yamada.

On motion by Representative Yuen, seconded by Representative Evans and carried, H.R. No. 609 was adopted.

Representative Evans then made the following introductions: Donna Carvalho, who was presented with red roses by Representative Ajifu; Pieter Dawson, who was presented with a lei by Representative Kamalii; Band Leader, Mr. Gerald Nichols, who received a lei from Representative Santos; Mr. Ron Bright, who received a red carnation lei from Representative Evans; and other members of the cast who were seated in the gallery.

Representative Yuen presented them with certified copies of the respective resolutions.

At 11:50 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:55 o'clock a.m., the following introductions were made:

Representative Kiyabu introduced 52 fifth graders from Waialae School. They were accompanied by their teachers, Mrs. Arlene Young and Mrs. Dorothy Fujii; and Room Mother, Mrs. Yvonne Nearman.

Representative Machida introduced 79 seventh grade students from Lihikai School on Maui, who were accompanied by their teachers and chaperones, Mrs. Margaret Cabrinha, Mrs. Magdalene Fong, Mrs. Sharon Yanagida, Mrs. Judy Eichi, Mrs. Judith Matoi, Mr. Roy Nakasone, Mr. Noboru Nakao and Mr. David Pacheco.

Representative Kimura introduced Robin Fong and Arlys Yamashiroya. Both girls are students at St. Andrews Priory and were here

for a week studying the legislative process.

Representative Medeiros introduced Emmett Kay, the last POW American released from Vietnam last year and his wife, Gloria.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate Bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
86	Committee on Consumer Protection and Commerce
91	Committee on Consumer Protection and Commerce, then to the Committee on Finance
92	Committee on Consumer Protection and Commerce
94	Committee on Consumer Protection and Commerce, then to the Committee on Finance
110	Committee on Health, then to the Committee on Higher Education
182	Committee on Labor and Public Employment
194	Committee on Finance
228	Committee on Labor and Public Employment
327	Committee on Judiciary
329	Committee on Judiciary
330	Committee on Energy and Transportation, then to the Committee on Judiciary
332	Committee on Energy and Transportation, then to the Committee on Judiciary
512	Committee on Judiciary
514	Committee on Judiciary
525	Committee on Health
528	Committee on Judiciary
534	Committee on Labor and Public Employment, then to the Committee on Judiciary
535	Placed on Clerk's desk, by

	unanimous consent	1548	Committee on Labor and Public Employment, then to the Committee on Finance
537	Committee on Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Judiciary	1560	Committee on Consumer Protection and Commerce
553	Committee on Education, then to the Committee on Finance	1566	Committee on Judiciary
608	Committee on Judiciary	1582	Committee on Consumer Protection and Commerce
698	Committee on Judiciary	1618	Committee on Energy and Transportation
717	Committee on Legislative Management	1621	Committee on Culture and the Arts
864	Committee on Energy and Transportation	1628	Committee on Public Assistance and Human Services
950	Committee on Judiciary	1651	Committee on Judiciary
966	Committee on Culture and the Arts	1652	Jointly to the Committees on Consumer Protection and Commerce and Judiciary
1043	Committee on Energy and Transportation, then to the Committee on Finance	1654	Jointly to the Committees on Consumer Protection and Commerce and Judiciary
1133	Committee on Judiciary	1656	Committee on Labor and Public Employment
1138	Committee on Consumer Protection and Commerce	1662	Committee on Consumer Protection and Commerce
1139	Committee on Consumer Protection and Commerce	1669	Committee on Energy and Transportation
1140	Committee on Consumer Protection and Commerce	1675	Jointly to the Committees on Public Assistance and Human Services and Labor and Public Employment, then to the Committee on Finance
1158	Committee on Judiciary	1676	Committee on Higher Education
1161	Committee on Judiciary	1679	Committee on Higher Education
1214	Committee on Energy and Transportation	1682	Committee on Energy and Transportation
1281	Committee on Judiciary, then to the Committee on Finance		
1301	Committee on Judiciary		
1323	Committee on Housing, then to the Committee on Finance		
1332	Committee on Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Environmental Protection		
1345	Committee on Labor and Public Employment		
1458	Committee on Energy and Transportation, then to the Committee on Finance		

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 597 to 605) and concurrent resolutions (H.C.R. Nos. 114 and 115, and S.C.R. No. 99) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
597	Committee on Public Assistance and Human Services, then to the Committee on Education
598	Jointly to the Committees on

- Agriculture and Water, Land Use, Development, and Hawaiian Homes
- 599 Committee on Judiciary
- 600 Committee on Public Assistance and Human Services
- 601 Committee on Education
- 602 Committee on Education
- 603 Committee on Education
- 604 Committee on Housing, then to the Committee on Finance
- 605 Committee on Higher Education

H.C.R. Nos.

- 114 Committee on Judiciary
- 115 Committee on Youth and Elderly Affairs, then to the Committee on Consumer Protection

S.C.R. No.

- 99 Committee on Culture and the Arts, then to the Committee on Judiciary

COMMITTEE REASSIGNMENT

S.B. No. 1188 was re-referred to the Committee on Labor and Public Employment, then to the Committee on Higher Education, then to the Committee on Finance.

At 11:59 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:00 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 610 to 612) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 610) congratulating the Lihikai AJA Baseball Team upon winning the Maui AJA Baseball League Championship was jointly offered by Representatives Amaral, Kondo, Machida and Santos.

On motion by Representative Machida, seconded by Representative

Kondo and carried, H.R. No. 610 was adopted.

A resolution (H.R. No. 611) recognizing, congratulating, and commending Alice Greenwell, Executive Director and President of the West Hawaii Humane Society was jointly offered by Representatives Inaba, Akizaki, Blair, Carroll, Cayetano, Cobb, Fong, Hakoda, Ho, Kawakami, Kihano, Kiyabu, Kondo, Lee, Lunasco, Mizuguchi, Morioka, Naito, Poepoe, Roehrig, Segawa, Shito, Stanley, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap and Yuen.

On motion by Representative Inaba, seconded by Representative Suwa and carried, H.R. No. 611 was adopted.

A resolution (H.R. No. 612) celebrating the 75th Anniversary of Waipahu Elementary School was jointly offered by Representatives Kihano, Shito, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Garcia, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kimura, Kiyabu, Kondo, Larsen, Lee, Lunasco, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Roehrig, Sakima, Santos, Soares, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yap, Yuen and Wakatsuki.

On motion by Representative Kihano, seconded by Representative Shito and carried, H.R. No. 612 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 613 to 636) and concurrent resolutions (H.C.R. Nos. 116 to 122 and S.C.R. No. 99) were referred to the Committee on Legislative Management and further action was deferred until Monday, March 17, 1975:

A resolution (H.R. No. 613) requesting revisions in policies relating to the salaries of principals was jointly offered by Representatives Yuen, Akizaki, Blair, Lee and Oda.

A resolution (H.R. No. 614) requesting the Board of Education to encourage an atmosphere of mutual respect and understanding among the students was jointly offered by Representatives Yuen, Akizaki, Blair, Kawakami, Lee and Oda.

A resolution (H.R. No. 615) requesting a training program for intermediate school teachers was jointly offered

by Representatives Yuen, Akizaki, Blair, Kawakami, Lee and Oda.

A resolution (H.R. No. 616) requesting a minimum level of proficiency for high school graduates was jointly offered by Representatives Yuen, Akizaki, Blair, Kawakami, Lee and Oda.

A resolution (H.R. No. 617) celebrating Public Schools Week April 21 through 25, 1975, and commending the teachers, administrators, and supportive staff of all public schools for their tireless dedication to the education and training of the youths of this State was jointly offered by Representatives Yuen, Akizaki, Blair, Kawakami, Lee and Oda.

A resolution (H.R. No. 618) requesting departmental funding of district student councils was offered by Representative Yuen (by request).

A resolution (H.R. No. 619) requesting an increase of school counselors was offered by Representative Yuen (by request).

A resolution (H.R. No. 620) requesting changes in the school curriculum was offered by Representative Yuen (by request).

A resolution (H.R. No. 621) requesting input on the planning of new buildings was offered by Representative Yuen (by request).

A resolution (H.R. No. 622) requesting credit by examination was offered by Representative Yuen (by request).

A resolution (H.R. No. 623) requesting the Board of Education and the Department of Education to hire para-professionals needed in staffing was offered by Representative Yuen (by request).

A resolution (H.R. No. 624) requesting the Department of Education to expend funds t).

A resolution (H.R. No. 625) requesting the Department of Education to assure proper school maintenance was offered by Representative Yuen (by request).

A resolution (H.R. No. 626) requesting a new policy on mandatory lunch duty was offered by Representative Yuen (by request).

A resolution (H.R. No. 627) requesting a new policy related to smoking on campus was offered by Representative Yuen (by request).

A resolution (H.R. No. 618) requesting departmental funding of district student councils by Representatives Yuen, Fong, Hakoda, Inaba and Segawa (by request).

A resolution (H.R. No. 629) requesting student activities coordinators was jointly offered by Representatives Yuen, Fong, Hakoda, Inaba and Segawa.

A resolution (H.R. No. 630) requesting professional student safety workers was jointly offered by Representatives Yuen, Fong, Hakoda, Inaba and Segawa.

A resolution (H.R. No. 631) encouraging ethnic awareness was jointly offered by Representatives Yuen, Fong, Hakoda, Inaba and Segawa.

A resolution (H.R. No. 632) requesting integrated immigrant students' adjustment programs was jointly offered by Representatives Yuen, Fong, Hakoda, Inaba and Segawa.

A resolution (H.R. No. 633) requesting student involvement in the evaluation of teachers was jointly offered by Representatives Yuen, Fong and Segawa (by request).

A resolution (H.R. No. 634) requesting separate incorporation of the radio station at the University of Hawaii was offered by Representative Abercrombie.

A resolution (H.R. No. 635) relating to an examination of the implications of incorporating the East-West Center was jointly offered by Representatives Sakima, Takamura, Abercrombie, Akizaki, Blair, Carroll, Cayetano, Cobb, Evans, Garcia, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kunimura, Larsen, Peters, Segawa, Shito, Soares, Stanley, Suwa, Ushijima, Yamada, Yap and Yuen.

A resolution (H.R. No. 636) requesting governmental agencies to encourage gardening in housing administered by them was jointly offered by Representatives Soares, Ajifu, Blair, Cayetano, Evans, Fong, Hakoda, Kamalii, Kawakami, Oda, Poepoe, Santos and Segawa.

A concurrent resolution (H.C.R.)

No. 116) requesting review of the Juvenile Justice Master Plan was jointly offered by Representatives Takamura, Roehrig, Abercrombie, Akizaki, Blair, Carroll, Cayetano, Cobb, Evans, Fong, Garcia, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kunimura, Larsen, Peters, Segawa, Shito, Soares, Stanley, Sutton, Suwa, Ushijima, Yamada, Yap and Yuen.

A concurrent resolution (H.C.R. No. 117) requesting that the Department of Education require a unit of study on voter and citizen responsibility to be developed and implemented within the social studies curriculum was jointly offered by Representatives Yuen, Akizaki, Blair, Kawakami, Lee and Oda.

A concurrent resolution (H.C.R. No. 118) requesting the Attorney General to recommend changes in State law and State policy for the purpose of maximizing medicaid, medicare, and supplementary security income payments on behalf of the individuals eligible for State Health Programs was offered by Representatives Stanley and Segawa.

A concurrent resolution (H.C.R. No. 119) requesting that the next budget submitted by the Governor include medicaid payments for usual and customary charges by physicians, dentists, and other professional health providers was jointly offered by Representatives Stanley and Segawa.

A concurrent resolution (H.C.R. No. 120) relating to medicaid and medicare payments to health facilities was jointly offered by Representatives Stanley and Segawa.

A concurrent resolution (H.C.R. No. 121) relating to medicaid and SSI payments for extended care of wards of the State was jointly offered by Representatives Stanley and Segawa.

A concurrent resolution (H.C.R. No. 122) relating to early and periodic screening, diagnosis, and treatment of children eligible for medicaid was jointly offered by Representatives Stanley and Segawa.

At this time, Representative Cobb, upon being recognized by the Chair, rose and stated:

"Mr. Speaker, Item 11, Miscellaneous Business, which was omitted, I'd like to rise on a point of parliamentary inquiry concerning receipt of bills from the Senate, as well as transmittal of bills from the House. The point of inquiry is whether or not there was any pay measure relating to elected officials contained in any of those bills?"

The Chair replied:

"Not to the Chair's knowledge."

Representative Cobb continued:

"Then, Mr. Speaker, under a point of parliamentary privilege, there seems to be a great deal of misinformation in the press. . . ."

Representative Garcia then rose on a point of order and stated:

"Mr. Speaker, a ruling has been made by the Chair regarding legislators responding to articles and releases made by the press earlier. I believe, therefore, it would seem to me that the response made by the Representative from the Kahala area, responding to the articles made by the press regarding pay raises, are out of order at this time."

The Chair then stated:

"Chair rules that the point is well taken."

At 12:04 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:05 o'clock p.m.

ADJOURNMENT

At 12:05 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 11:30 o'clock a.m. on Monday, March 17, 1975.

FORTY-THIRD DAY

Monday, March 17, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Clifford Hoff of the University Baptist Church, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Ajifu, Ho, Ikeda, Mizuguchi and Naito, who were excused.

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

On motion by Representative Kimura, seconded by Representative Soares and carried, reading of the Journal was dispensed with and the Journal of the Forty-Second Day was approved.

GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 64) informing the House that on March 14, 1975, he signed House Bill No. 1188 as Act 3, entitled: "A Bill for an Act making an appropriation for the construction of Hamilton Library, Phase II, at the University of Hawaii, Manoa Campus, and authorizing the issuance of general obligation bonds", was read by the Clerk and was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 110 to 172) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 110) transmitting Senate Bill No. 24, SD 2, entitled: "A Bill for an Act relating to housing", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 111) transmitting Senate Bill No. 33, SD 2, entitled: "A Bill for an Act relating to the exemption of certain property

and proceeds from taxation", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 112) transmitting Senate Bill No. 42, SD 2, entitled: "A Bill for an Act relating to environmental shoreline protection", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 113) transmitting Senate Bill No. 75, SD 2, entitled: "A Bill for an Act relating to the Hawaii Paroling Authority", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 114) transmitting Senate Bill No. 79, SD 1, entitled: "A Bill for an Act relating to the Uniform Probate Code", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 115) transmitting Senate Bill No. 106, SD 1, entitled: "A Bill for an Act relating to environmental quality", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 116) transmitting Senate Bill No. 115, SD 2, entitled: "A Bill for an Act relating to collective bargaining", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 117) transmitting Senate Bill No. 142 entitled: "A Bill for an Act relating to sick leave benefits for public officers and employees and making an appropriation therefor", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 118) transmitting Senate Bill No. 162, SD 2, entitled: "A Bill for an Act making an appropriation for a grant-in-aid for the Hawaii Bound School", which

passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 119) transmitting Senate Bill No. 165 entitled: "A Bill for an Act relating to regulation of mortuaries", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 120) transmitting Senate Bill No. 166, SD 2, entitled: "A Bill for an Act relating to the establishment and operations of an Executive Office on Aging", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 121) transmitting Senate Bill No. 183, SD 1, entitled: "A Bill for an Act relating to upward bound programs", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 122) transmitting Senate Bill No. 249 entitled: "A Bill for an Act relating to the Uniform Controlled Substances Act", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 123) transmitting Senate Bill No. 312, SD 2, entitled: "A Bill for an Act relating to violations of the motor carrier law", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 124) transmitting Senate Bill No. 314, SD 1, entitled: "A Bill for an Act relating to public assistance", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 125) transmitting Senate Bill No. 315, SD 1, entitled: "A Bill for an Act relating to State claims for reimbursement of public assistance payments", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 126) transmitting

Senate Bill No. 316 entitled: "A Bill for an Act relating to public assistance for medical care", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 127) transmitting Senate Bill No. 348, SD 1, entitled: "A Bill for an Act relating to the rights of children", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 128) transmitting Senate Bill No. 360, SD 2, entitled: "A Bill for an Act relating to a senior legislative observer pilot program", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 129) transmitting Senate Bill No. 398, SD 1, entitled: "A Bill for an Act relating to residential leaseholds", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 130) transmitting Senate Bill No. 476, SD 1, entitled: "A Bill for an Act relating to historical objects", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 131) transmitting Senate Bill No. 516, SD 1, entitled: "A Bill for an Act relating to the Hawaii Penal Code", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 132) transmitting Senate Bill No. 582, SD 2, entitled: "A Bill for an Act relating to open meetings of public bodies", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 133) transmitting Senate Bill No. 591, SD 2, entitled: "A Bill for an Act relating to funds for driver education", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 134) transmitting

Senate Bill No. 607, SD 1, entitled: "A Bill for an Act relating to intoxicating liquor", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 135) transmitting Senate Bill No. 613, SD 2, entitled: "A Bill for an Act relating to marriage and family counselors", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 136) transmitting Senate Bill No. 637, SD 1, entitled: "A Bill for an Act relating to the Employees Retirement System of the State of Hawaii", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 137) transmitting Senate Bill No. 649, SD 1, entitled: "A Bill for an Act relating to the issuance of revenue bonds to provide facilities for the local furnishing of electric energy or gas", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 138) transmitting Senate Bill No. 714, SD 1, entitled: "A Bill for an Act relating to land readjustment", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 139) transmitting Senate Bill No. 830 entitled: "A Bill for an Act relating to criminal littering", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 140) transmitting Senate Bill No. 846, SD 1, entitled: "A Bill for an Act relating to annual salary increment and longevity pay increases and amending Chapter 89, Hawaii Revised Statutes", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the

Senate (Sen. Com. No. 141) transmitting Senate Bill No. 875, SD 2, entitled: "A Bill for an Act relating to horizontal property regimes", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 142) transmitting Senate Bill No. 908, SD 1, entitled: "A Bill for an Act relating to making an additional appropriation for State programs during the fiscal biennium July 1, 1975 to June 30, 1977", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 143) transmitting Senate Bill No. 919, SD 1, entitled: "A Bill for an Act relating to making an appropriation for the formal education program", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 144) transmitting Senate Bill No. 922, SD 1, entitled: "A Bill for an Act relating to making an appropriation for the government-wide support program", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 145) transmitting Senate Bill No. 923, SD 1, entitled: "A Bill for an Act making an appropriation for the individual rights program", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 146) transmitting Senate Bill No. 934, SD 1, entitled: "A Bill for an Act relating to making an appropriation for the economic development program", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 147) transmitting Senate Bill No. 937, SD 1, entitled: "A Bill for an Act relating to making an appropriation for the environmental protection program", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 148) transmitting Senate Bill No. 938, SD 1, entitled: "A Bill for an Act relating to making an appropriation for the health program", which passed Third Reading in

the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 149) transmitting Senate Bill No. 939, SD 1, entitled: "A Bill for an Act relating to making an appropriation for the social problems program", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 150) transmitting Senate Bill No. 1046, SD 1, entitled: "A Bill for an Act relating to dental fee schedules under public assistance programs", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 151) transmitting Senate Bill No. 1049, SD 1, entitled: "A Bill for an Act relating to drug abuse", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 152) transmitting Senate Bill No. 1050, SD 1, entitled: "A Bill for an Act relating to provisions for fair competitive practices in the termination of gasoline dealers franchise agreements", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 153) transmitting Senate Bill No. 1099, SD 2, entitled: "A Bill for an Act relating to protection of interests in land", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 154) transmitting Senate Bill No. 1192, SD 1, entitled: "A Bill for an Act relating to general obligation bonds of the counties", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 155) transmitting Senate Bill No. 1200, SD 2, entitled: "A Bill for an Act relating to residential leaseholds", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 156) transmitting Senate Bill No. 1212, SD 1, entitled:

"A Bill for an Act relating to elections", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 157) transmitting Senate Bill No. 1303 entitled: "A Bill for an Act relating to the lien on personalty for work done and materials furnished", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 158) transmitting Senate Bill No. 1326, SD 2, entitled: "A Bill for an Act relating to the Office of Collective Bargaining", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 159) transmitting Senate Bill No. 1405, SD 2, entitled: "A Bill for an Act relating to protective services for the elderly", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 160) transmitting Senate Bill No. 1543, SD 2, entitled: "A Bill for an Act relating to residential leaseholds and the acquisition by the State through condemnation of lands in fee simple and the disposition thereof", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 161) transmitting Senate Bill No. 1556 entitled: "A Bill for an Act relating to contractors", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 162) transmitting Senate Bill No. 1577, SD 1, entitled: "A Bill for an Act relating to public lands", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 163) transmitting Senate Bill No. 1634 entitled: "A Bill for an Act relating to expenditure of public money and public contracts", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate

(Sen. Com. No. 164) transmitting Senate Bill No. 1637 entitled: "A Bill for an Act relating to contractors", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 165) transmitting Senate Bill No. 1645, SD 1, entitled: "A Bill for an Act making appropriations for salaries and other adjustments, including cost items of collective bargaining agreements covering public employees and officers", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 166) transmitting Senate Bill No. 1665, SD 2, entitled: "A Bill for an Act relating to the conservation, management and protection of endangered or threatened species of wildlife or plants", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 167) transmitting Senate Bill No. 1672, SD 1, entitled: "A Bill for an Act relating to the contractors recovery fund", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 168) transmitting Senate Bill No. 1677, SD 1, entitled: "A Bill for an Act relating to the State scholarship program of the University of Hawaii and making an appropriation for the State Student Incentive Grant Program", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 169) transmitting Senate Bill No. 1732, SD 1, entitled: "A Bill for an Act relating to the establishment of an educational non-profit public corporation to administer and operate the Center for Cultural and Technical Interchange Between East and West", which passed Third Reading in the Senate on March 13, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 170) transmitting Senate Bill No. 19, SD 2, entitled: "A Bill for an Act relating to residential leaseholds", which passed Third Reading in the Senate on March

13, 1975, was placed on file.

On motion by Representative Kimura, seconded by Representative Soares and carried, S.B. Nos. 24, SD 2; 33, SD 2; 42, SD 2; 75, SD 2; 79, SD 1; 106, SD 1; 115, SD 2; 142; 162, SD 2; 165; 166, SD 2; 183, SD 1; 249; 312, SD 2; 314, SD 1; 315, SD 1; 316; 348, SD 1; 360, SD 2; 398, SD 1; 476, SD 1; 516, SD 1; 582, SD 2; 591, SD 2; 607, SD 1; 613, SD 2; 637, SD 1; 649, SD 1; 714, SD 1; 830; 846, SD 1; 875, SD 2; 908, SD 1; 919, SD 1; 922, SD 1; 923, SD 1; 934, SD 1; 937, SD 1; 938, SD 1; 939, SD 1; 1046, SD 1; 1049, SD 1; 1050, SD 1; 1099, SD 2; 1192, SD 1; 1200, SD 2; 1212, SD 1; 1303; 1326, SD 2; 1405, SD 2; 1543, SD 2; 1556; 1577, SD 1; 1634; 1637; 1645, SD 1; 1665, SD 2; 1672, SD 1; 1677, SD 1; 1732, SD 1; and 19, SD 2, passed First Reading by title and further action was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 171) transmitting Senate Concurrent Resolution No. 39 requesting a study of possible reorganization of State Government in Hawaii which was adopted by the Senate on March 14, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 172) transmitting Senate Concurrent Resolution No. 78 requesting the restriction of importation of alien labor in the State of Hawaii which was adopted by the Senate on March 14, 1975, was placed on file.

On motion by Representative Kimura, seconded by Representative Soares and carried, further action on S.C.R. Nos. 39 and 78 were deferred until later in the calendar.

MISCELLANEOUS COMMUNICATION

A communication from James S. Ushijima, County Clerk, County of Maui (Misc. Com. No. 19) transmitting a certified copy of Resolution No. 47, relating to the programs for the elderly on Molokai, which was adopted by the County Council on March 7, 1975, 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 Sutton introduced Mr. and Mrs. O'Riley and daughter, Shelley, from Dublin, Ireland.

Representative Carroll introduced 90 Juniors and Seniors from McKinley High School and their teacher, Mr. Mike Char.

Representative Evans introduced 70 fifth grade students from Heeia Elementary School and their teachers, Mrs. Olivia Padeken and Mrs. Jamie Jones.

Representative Morioka introduced 28 sixth grade students from Anuenue Elementary School and their teacher, Mrs. Shishido, and Room Mother, Mrs. Nishihira.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate Bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>		
19	Committee on Housing	166	Committee on Youth and Elderly Affairs, then to the Committee on Finance
24	Committee on Housing, then to the Committee on Finance	183	Committee on Public Assistance and Human Services, then to the Committee on Finance
33	Committee on Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Finance	249	Committee on Judiciary
42	Jointly to the Committees on Environmental Protection and Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Finance	312	Jointly to the Committees on Consumer Protection and Commerce and Judiciary
75	Committee on Judiciary, then to the Committee on Finance	314	Committee on Public Assistance and Human Services, then to the Committee on Judiciary
79	Committee on Judiciary	315	Committee on Public Assistance and Human Services, then to the Committee on Judiciary
106	Committee on Environmental Protection	316	Committee on Public Assistance and Human Services
115	Committee on Labor and Public Employment, then to the Committee on Finance	348	Committee on Youth and Elderly Affairs, then to the Committee on Finance
142	Committee on Labor and Public Employment, then to the Committee on Finance	360	Committee on Youth and Elderly Affairs, then to the Committee on Finance
162	Committee on Youth and Elderly Affairs, then to the Committee on Finance	398	Committee on Housing
165	Committee on Consumer Protection and Commerce	476	Committee on Culture and the Arts
		516	Committee on Judiciary
		535	Committee on Finance
		582	Committee on Judiciary
		591	Committee on Education, then to the Committee on Finance
		607	Committee on Consumer Protection and Commerce
		613	Committee on Consumer Protection and Commerce, then to the Committee on Finance
		637	Committee on Labor and Public Employment, then to the Committee on Finance
		649	Committee on Energy and Transportation, then to the Committee on Finance
		714	Committee on Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Finance
		830	Committee on Judiciary

846	Committee on Labor and Public Employment, then to the Committee on Finance	1645	Committee on Finance
875	Committee on Consumer Protection and Commerce	1665	Jointly to the Committees on Water, Land Use, Development, and Hawaiian Homes and Environmental Protection, then to the Committee on Judiciary
908	Committee on Finance		
919	Committee on Finance	1672	Committee on Consumer Protection and Commerce
922	Committee on Finance		
923	Committee on Finance	1677	Committee on Higher Education, then to the Committee on Finance
934	Committee on Finance		
937	Committee on Finance	1732	Committee on Higher Education, then to the Committee on Finance
938	Committee on Finance		

DEFERRED RESOLUTIONS

1046 Jointly to the Committees on Public Assistance and Human Services and Health

The following resolutions (H.R. Nos. 613 to 636) and concurrent resolutions (H.C.R. Nos. 116 to 122 and S.C.R. Nos. 39 and 78) were disposed of as follows:

		<u>H.R. Nos.</u>	<u>Referred to:</u>
1049	Committee on Health, then to the Committee on Judiciary		
1050	Committee on Consumer Protection and Commerce	613	Committee on Education
1099	Committee on Judiciary, then to the Committee on Finance	614	Committee on Education
1192	Committee on Finance	615	Committee on Education
1200	Committee on Housing, then to the Committee on Finance	616	Committee on Education
1212	Committee on Judiciary	617	Committee on Education
1303	Committee on Judiciary	618	Committee on Education
1326	Committee on Labor and Public Employment, then to the Committee on Finance	619	Committee on Education
1405	Committee on Youth and Elderly Affairs, then to the Committee on Finance	620	Committee on Education
1543	Committee on Housing	621	Committee on Education
1556	Jointly to the Committees on Consumer Protection and Commerce and Judiciary	622	Committee on Education
1577	Jointly to the Committees on Agriculture and Water, Land Use, Development, and Hawaiian Homes	623	Committee on Education
1634	Committee on Finance	624	Committee on Education
1637	Committee on Consumer Protection and Commerce	625	Committee on Education
		626	Committee on Education
		627	Committee on Education
		628	Committee on Education
		629	Committee on Education
		630	Committee on Education
		631	Committee on Education
		632	Committee on Education

633	Committee on Education	STANDING COMMITTEE REPORTS
634	Committee on Higher Education	Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 580) informing the House that House Resolution Nos. 546 to 636, House Concurrent Resolution Nos. 103 to 122, Standing Committee Report Nos. 202 to 593, and Floor Amendments to House Bill No. 13, HD 2; House Bill No. 91, HD 2; House Bill No. 152, HD 2; House Bill No. 419, HD 2; House Bill No. 1871, HD 2; House Bill No. 258, HD 1; and House Bill No. 1354, HD 1, have been printed and distributed.
635	Committee on Higher Education	
636	Committee on Housing	
<u>H.C.R. Nos.</u>		
116	Committee on Youth and Elderly Affairs, then to the Committee on Judiciary	On motion by Representative Akizaki, seconded by Representative Kiyabu and carried, the report of the Committee was adopted.
117	Committee on Education	
118	Jointly to the Committees on Public Assistance and Human Services and Health	Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 581) recommending that H.C.R. No. 26 be adopted.
119	Jointly to the Committees on Public Assistance and Human Services and Health, then to the Committee on Finance	
120	Jointly to the Committees on Public Assistance and Human Services and Health	On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.C.R. No. 26 was adopted.
121	Jointly to the Committees on Public Assistance and Human Services and Health	
122	Jointly to the Committees on Public Assistance and Human Services and Health	
<u>S.C.R. Nos.</u>		
39	Committee on Labor and Public Employment, then to the Committee on Finance	On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.C.R. No. 27 was adopted.
78	Committee on Labor and Public Employment	

At 11:40 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:41 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Abercrombie, Ajifu and Ho.

DISPOSITION OF MATTER PLACED ON CLERK'S DESK

By unanimous consent, S.B. No. 535 was taken from the Clerk's desk.

On motion by Representative Kimura, seconded by Representative Garcia and carried, S.B. No. 535 passed Second Reading and was referred to the Committee on Finance.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 583) recommending that H.R. No. 256 be adopted.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 256 was adopted.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 584) recommending that H.R. No. 324 be adopted.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 324 was adopted.

Representative Cayetano, for the majority of the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 585) recommending that H.R. No. 325 be adopted.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the majority of the Committee was adopted and H.R. No. 325 was adopted.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 586) recommending that H.R. No. 326 be adopted.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 326 was adopted.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 587) recommending that H.R. No. 255 be adopted.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 255 was adopted.

Representative Uechi, for the Committees on Agriculture and Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 588) recommending that H.R. No. 105 be adopted with certain amendments.

On motion by Representative Uechi, seconded by Representative Kawakami and carried, the report of the Committees was adopted and H.R. No. 105, as amended, was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 589) recommending that H.R. No. 98 be adopted.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.R. No. 98 was adopted.

Representative Lee, for the Committee on Labor and Public Employment, presented a report

(Stand. Com. Rep. No. 590) recommending that H.C.R. No. 81 be adopted with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.C.R. No. 81, as amended, was adopted.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 591) recommending that H.R. No. 85 be adopted with certain amendments.

On motion by Representative Sakima, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.R. No. 85, as amended, entitled: House Resolution requesting the University of Hawaii to implement the intent of S.R. No. 198, S.D. 1-74, relating to the establishment of child care centers on all campuses of the University of Hawaii system" was adopted.

Representative Blair, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 592) recommending that H.R. No. 156 be adopted with certain amendments.

On motion by Representative Blair, seconded by Representative Kondo and carried, the report of the Committee was adopted and H.R. No. 156, as amended, was adopted.

Representative Blair, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 593) recommending that H.R. No. 283 be adopted with certain amendments.

On motion by Representative Blair, seconded by Representative Kondo and carried, the report of the Committee was adopted and H.R. No. 283, as amended, was adopted.

At 11:42 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:42 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Mizuguchi and Naito.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 637 to 639) were read by the

Clerk and were disposed of as follows:

A resolution (H.R. No. 637) congratulating Laura Blears Ching was jointly offered by Representatives Carroll, Ajifu, Cobb, Hakoda, Kimura, Larsen, Poepoe, Segawa, Shito, Soares and Yuen.

On motion by Representative Carroll, seconded by Representative Soares and carried, H.R. No. 637 was adopted.

A resolution (H.R. No. 638) honoring the Fifth Anniversary of the formation of the Hawaiian Music Foundation was jointly offered by Representatives Kihano, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Cayetano, Clarke, Cobb, Garcia, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kimura, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Roehrig, Sakima, Santos, Segawa, Shito, Soares, Stanley, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Kihano, seconded by Representative Peters and carried, H.R. No. 638 was adopted.

A resolution (H.R. No. 639) congratulating the Punahou Varsity Basketball Team in winning the State basketball title for the second straight year was jointly offered by Representatives Fong, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Carroll, Cayetano, Cobb, Evans, Hakoda, Inaba, Kawakami, Kihano, Kimura, Kondo, Larsen, Lunasco, Medeiros, Oda, Poepoe, Roehrig, Sakima, Santos, Segawa, Shito, Soares, Stanley, Sutton, Takamine, Ushijima, Yamada and Wakatsuki.

On motion by Representative Fong, seconded by Representative Roehrig and carried, H.R. No. 639 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 640 to 648) and concurrent resolution (H.C.R. No. 123) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 18, 1975:

A resolution (H.R. No. 640) requesting that the next budget

submitted by the Governor include medicaid payments for usual and customary charges by physicians, dentists, and other professional health providers was jointly offered by Representatives Stanley and Segawa.

A resolution (H.R. No. 641) relating to medicaid and medicare payments to health facilities was jointly offered by Representatives Stanley and Segawa.

A resolution (H.R. No. 642) relating to a management information plan for the Department of Social Services and Housing was jointly offered by Representatives Stanley and Segawa.

A resolution (H.R. No. 643) requesting the Attorney General to recommend changes in State law and State policy for the purpose of maximizing medicaid, medicare, and supplementary security income payments on behalf of individuals eligible for State health programs was jointly offered by Representatives Stanley and Segawa.

A resolution (H.R. No. 644) relating to early and periodic screening, diagnosis, and treatment of children eligible for medicaid was jointly offered by Representatives Stanley and Segawa.

A resolution (H.R. No. 645) relating to medicaid and SSI payments for extended care of wards of the State was jointly offered by Representatives Stanley and Segawa.

A resolution (H.R. No. 646) requesting a legislative audit of the Hawaii Foundation for History and the Humanities was jointly offered by Representatives Ho, Abercrombie, Akizaki, Blair, Cayetano, Clarke, Cobb, Evans, Garcia, Inaba, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Lee, Lunasco, Machida, Mizuguchi, Morioka, Naito, Peters, Poepoe, Roehrig, Sakima, Segawa, Shito, Soares, Takamura, Uechi, Ushijima, Yamada, Yap and Yuen.

A resolution (H.R. No. 647) requesting a legislative audit of the State Foundation on Culture and the Arts was jointly offered by Representatives Ho, Abercrombie, Akizaki, Blair, Cayetano, Clarke, Cobb, Evans, Garcia, Inaba, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Lee, Lunasco, Machida, Mizuguchi, Morioka, Naito, Peters, Poepoe, Sakima, Segawa, Shito, Soares,

Stanley, Takamura, Uechi, Ushijima, Yamada, Yap and Yuen.

A resolution (H.R. No. 648) requesting a review of program specialists' activities was jointly offered by Representatives Yuen, Blair, Evans, Larsen, Lee, Machida, Medeiros, Naito, Sakima and Santos.

A concurrent resolution (H.C.R. No. 123) relating to a management information plan for the Department of Social Services and Housing was jointly offered by Representatives Stanley and Segawa.

At this time, the members of the House extended birthday greetings to Representative Kihano.

At 12:30 o'clock p.m., on request by Representative Kunimura, the Chair declared a recess, subject to the call of the Chair.

At 12:31 o'clock p.m., the House of Representatives reconvened.

At this time, Representative Soares rose on a point of personal privilege and stated:

"Mr. Speaker, for the first time in my nine years in this body, I can truly say that the Senate is, and I quote, 'playing games.'"

In the stack of Senate bills on our desks today are a number of bills with an allocation of \$1.00--mind you now--one dollar, to cover programs with major impact throughout this State.

Let me just give you a few examples:

1. A collective bargaining

bill on annual increments, Senate Bill 846, SD 1--an allocation of one dollar.

2. An additional appropriations bill, Senate Bill No. 908, SD 1--one dollar for the appropriation of Kona coffee; one dollar for shark control activities; one dollar for the repairs of public facilities, et cetera.

I could go on and on. . . Senate Bills 919, 922, 923, 934, 938 and 939--all covering very important State programs; all with appropriations of one dollar each. Mr. Speaker, they are too numerous to be mentioned this morning.

The members of this House have been spending long hours trying to do the right job for this State. The Senate prides itself on its shorter hours and this is the result. Mr. Speaker, a short-form bill--which these are--is a vehicle for Committee discussion and not for passage from one legislative body to the other. Both houses have recently approved 'sunshine' legislation. This is certainly not an example of the spirit of this law or responsible decision making.

Mr. Speaker, I'll make one suggestion for the consideration of your Committee chairpersons: Let's stick it to them. Pass these bills, as is, right back to the Senate."

ADJOURNMENT

At 12:33 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 11:30 o'clock a.m. on Tuesday, March 18, 1975.

FORTY-FOURTH DAY

Tuesday, March 18, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, was called to order at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Stan Hampson of the Unity Church, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Hakoda, Ikeda, Kunimura and Mizuguchi, who were excused.

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

On motion by Representative Kimura, seconded by Representative Soares 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. 173 and 174) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 173) transmitting Senate Concurrent Resolution No. 3 requesting the Department of Education to develop a list of educational and cultural excursions for each school district and assure the participation of all children regardless of their economic circumstances which was adopted by the Senate on March 17, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 174) transmitting Senate Concurrent Resolution No. 45 endorsing Hawaiian Airlines' application to the Civil Aeronautics Board for the certificated scheduled airline route authority between Vancouver, British Columbia, Canada, and Honolulu, Hawaii, which was adopted by the Senate on March 17, 1975, was placed on

file.

By unanimous consent, action on S.C.R. Nos. 3 and 45 was deferred until later on the calendar.

MISCELLANEOUS COMMUNICATION

A communication from the Honorable Spark Matsunaga, Member of Congress (Misc. Com. No. 20) acknowledging receipt of a copy of House Resolution No. 232, was read by the Clerk and was placed on file.

Representative Uechi then introduced a group of students from Gus Webling School and their teachers, Ms. Tanoue, Ms. Okoji, Ms. Tanaka and Mr. Lee, to the members of the House.

Representative Carroll then introduced Laura Blears Ching to the members of the House and presented her with a certified copy of House Resolution No. 637 and a red carnation lei. He also introduced her parents, Lee and Lord James Blears, and her husband, Bon Ching.

At 11:40 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:14 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Abercrombie, Kunimura and Mizuguchi.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 640 to 648) and concurrent resolutions (H.C.R. No. 123 and S.C.R. Nos. 3, 45 and 78) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
640	Jointly to the Committees on Public Assistance and Human Services and Health, then to the Committee on Finance
641	Jointly to the Committees on Public Assistance and Human Services and Health

- 642 Committee on Public Assistance and Human Services, then to the Committee on Housing
On motion by Representative Akizaki, seconded by Representative Kiyabu and carried, the report of the Committee was adopted.
- 643 Jointly to the Committees on Public Assistance and Human Services and Health
Representative Takamura, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 595) recommending that H.R. No. 184 be referred to the Committee on Finance.
- 644 Jointly to the Committees on Public Assistance and Human Services and Health
On motion by Representative Takamura, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 184 was referred to the Committee on Finance.
- 645 Jointly to the Committees on Public Assistance and Human Services and Health
Representative Takamura, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 596) recommending that S.C.R. No. 25 be adopted.
- 646 Committee on Culture and the Arts
- 647 Committee on Culture and the Arts
- 648 Committee on Education

H.C.R. No.

- 123 Committee on Public Assistance and Human Services, then to the Committee on Housing

On motion by Representative Takamura, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.C.R. No. 25 was adopted.

S.C.R. Nos.

- 3 Committee on Education
- 45 Committee on Energy and Transportation
- 78 Committee on Labor and Public Employment

Representative Stanley, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 597) recommending that H.R. No. 477 be adopted.

On motion by Representative Stanley, seconded by Representative Peters and carried, the report of the Committee was adopted and H.R. No. 477 was adopted.

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

S.B. Nos. Re-referred to:

- 476 Committee on Water, Land Use, Development, and Hawaiian Homes
- 1628 Committee on Health

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 598) recommending that H.R. No. 210 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.R. No. 210 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 599) recommending that H.R. No. 214 be adopted with certain amendments.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 594) informing the House that House Resolution Nos. 637 to 648, House Concurrent Resolution No. 123, and Standing Committee Report Nos. 595 to 602, have been printed and distributed.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.R. No. 214,

as amended, was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 600) recommending that H.R. No. 289 be adopted with certain amendments.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.R. No. 289, as amended, was adopted.

Representative Yuen, for the Committee on Education, presented a report (Stand. Com. Rep. No. 601) recommending that H.R. No. 68 be adopted with certain amendments.

On motion by Representative Yuen, seconded by Representative Machida and carried, the report of the Committee was adopted and H.R. No. 68, as amended, was adopted.

Representative Yuen, for the Committee on Education, presented a report (Stand. Com. Rep. No. 602) recommending that H.R. No. 291 be adopted with certain amendments.

On motion by Representative Yuen, seconded by Representative Machida and carried, Stand. Com. Rep. No. 602 on H.R. No. 291, as amended, was recommitted to the Committee on Education.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 657 and 658) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 657) honoring Walter Francis "Buster" McGuire on the occasion of his retirement was jointly offered by Representatives Soares, Ajifu, Akizaki, Carroll, Cayetano, Evans, Hakoda, Kimura, Kondo, Machida, Medeiros, Oda, Peters, Poepoe, Santos, Stanley, Takamura and Yap.

On motion by Representative Soares, seconded by Representative Kimura and carried, H.R. No. 657 was adopted.

A resolution (H.R. No. 658)

congratulating Patti Hokulani Honda, the 1975 Kona Coffee Queen, was jointly offered by Representatives Inaba, Akizaki, Cayetano, Hakoda, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Peters, Roehrig, Sakima, Santos, Segawa, Shito, Soares, Stanley, Suwa, Takamine, Takamura, Uechi, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Inaba, seconded by Representative Segawa and carried, H.R. No. 658 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 649 to 656) and concurrent resolution (H.C.R. No. 124) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 19, 1975:

A resolution (H.R. No. 649) requesting the University of Hawaii College of Tropical Agriculture to study and recommend more effective means to control termites, and to develop a label which will comply with federal rules and regulations and to implement educational programs to provide training and support of the pest control operators in Hawaii was jointly offered by Representatives Uechi, Abercrombie, Ho, Inaba, Kihano, Lunasco, Machida, Morioka, Roehrig and Yap.

A resolution (H.R. No. 650) requesting the Department of Health to take corrective action to ensure that all students obtain required and recommended immunizations, physical examinations, and tuberculin tests was jointly offered by Representatives Mizuguchi, Cayetano, Kamalii, Kihano, Kiyabu, Roehrig, Santos, Stanley and Yap.

A resolution (H.R. No. 651) relating to senior citizen volunteer service programs was jointly offered by Representatives Takamura, Akizaki, Blair, Cayetano, Cobb, Inaba, Kimura, Kiyabu, Kunimura, Lee, Lunasco, Medeiros, Morioka, Naito, Sakima, Santos, Shito, Stanley, Sutton, Takamine, Uechi and Yap.

A resolution (H.R. No. 652) relating to the issuing of universal elderly certificates of identification was jointly offered by Representatives Takamura, Akizaki, Blair, Cayetano, Cobb, Inaba, Kimura, Kiyabu, Kunimura, Lee, Lunasco, Medeiros, Morioka, Naito, Sakima, Santos, Shito, Stanley,

Sutton, Takamine, Uechi and Yap.

A resolution (H.R. No. 653) relating to elderly care facilities was jointly offered by Representatives Takamura, Akizaki, Blair, Cayetano, Cobb, Inaba, Kimura, Kiyabu, Kunimura, Lee, Lunasco, Medeiros, Morioka, Naito, Sakima, Santos, Shito, Stanley, Sutton, Takamine, Uechi and Yap.

A resolution (H.R. No. 654) requesting a study concerning the feasibility of maintaining a permanent settlement at Kalaupapa was jointly offered by Representatives Santos and Kondo.

A resolution (H.R. No. 655) requesting the Department of Education to complete implementation of recommendations in the LAO audit report entitled "Management Audit of the Department of Education," 1973 was jointly offered by Represen-

tatives Evans, Clarke, Poepoe, Soares and Yuen.

A resolution (H.R. No. 656) relating the formation of an advisory panel to review procedures, rules, and guidelines relating to prison terms was offered by Representative Roehrig.

A concurrent resolution (H.C.R. No. 124) relating the formation of an advisory panel to review procedures, rules, and guidelines relating to prison terms was offered by Representative Roehrig.

ADJOURNMENT

At 12:21 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 11:30 o'clock a.m. tomorrow, March 19, 1975.

FORTY-FIFTH DAY

Wednesday, March 19, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, was called to order at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Frank Chong of the Community Church of Honolulu, after which the Roll was called showing all members present with the exception of Representatives Ikeda, Mizuguchi, Roehrig and Yamada, who were excused.

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

On motion by Representative Kimura, seconded by Representative Soares and carried, reading of the Journal was dispensed with and the Journal of the Forty-Fourth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 65 and 66) were read by the Clerk and were disposed of as follows:

A communication from the Governor (Gov. Msg. No. 65) transmitting copies of the report of the Hawaii Bicentennial International Marine Exposition Commission, prepared pursuant to Act 131, Session Laws Hawaii 1972, was placed on file.

A communication from the Governor (Gov. Msg. No. 66) transmitting copies of the cost items for the collective bargaining agreement which has been negotiated with the University of Hawaii Professional Assembly, Unit 7, was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 175 to 179) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 175) transmitting Senate Concurrent Resolution No. 1 requesting the Department

of Education to develop a comprehensive design of alternative means to deliver instruction under the academic component of the Foundation program, which was adopted by the Senate on March 18, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 176) transmitting Senate Concurrent Resolution No. 2 relating to campus disturbances and student unrest in our public schools, which was adopted by the Senate on March 18, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 177) transmitting Senate Concurrent Resolution No. 4 requesting the Department of Education to maximize their efforts of promoting community use of school facilities, which was adopted by the Senate on March 18, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 178) transmitting Senate Concurrent Resolution No. 16 requesting expedience in the development of a deep draft harbor at Barber's Point, which was adopted by the Senate on March 18, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 179) transmitting Senate Concurrent Resolution No. 36, SD 1, relating to the University of Hawaii, College of Education pre-service curriculum and the Department of Education in-service training, which was adopted by the Senate on March 18, 1975, was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 21 to 23) were read by the Clerk and were disposed of as follows:

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 21) acknowledging receipt of a copy of House Resolution No. 167, Regular Session of 1975, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 22) acknowledging receipt of a copy of House

Resolution No. 278, Regular Session of 1975, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 23) informing the House that the Hawaii Public Broadcasting Authority application for a construction permit for a broadcast translator station to serve Kaunakani, Kauai, has been approved by the Federal Communications Commission, was placed on file.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, the rules were suspended for the purpose of permitting Representative Ho to introduce a resolution.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 659) welcoming the fifth and sixth grade students from Nanaikapono Elementary School who will perform for this body today was jointly offered by Representatives Ho, Peters, Abercrombie, Ajifu, Blair, Cayetano, Clarke, Cobb, Garcia, Inaba, Kamalii, Kimura, Kiyabu, Lunasco, Machida, Mizuguchi, Morioka, Naito, Oda, Poepoe, Roehrig, Sakima, Santos, Shito, Stanley, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap and Wakatsuki and was read by the Clerk.

On motion by Representative Ho, seconded by Representative Peters and carried, H.R. No. 659 was adopted.

At this time, Representative Peters introduced to the members of the House ninety fourth and fifth grade students from Nanaikapono Elementary School and their teachers, Mrs. Momi Williams, Mrs. Yamamoto, Mrs. Pelekai, Mrs. Kalama, Mrs. Molley and Mrs. Felici. Also accompanying the students was Mr. Liberto Viduya, Jr., Principal of Nanaikapono Elementary School.

At 11:42 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:44 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Mizuguchi, Roehrig and Yamada.

The following introductions were then made to the members of the House:

Representative Yap introduced ninety fifth grade students from Likelike Elementary School and their teachers, Mrs. Ellen Kajikawa, Mrs. Lily Wise and Mrs. Hilda Sagara, and a parent, Mrs. Alfred.

Representative Segawa then introduced four students from Hilo High School: Janie Segawa, his daughter; Lynne Yuda; Peter Matsuura and Edward Taketa.

Representative Garcia introduced Mr. and Mrs. Kenneth Benson from Colorado.

Representative Sutton introduced Mr. and Mrs. Charles Cheyer from New York City and Ms. Dora Johnson, Ms. Stella Sagerty and Mr. Lester Walker from Wichita, Kansas.

Representative Kihano introduced a group of eighth grade students from Wheeler Intermediate School and their teacher, Mrs. Uehara.

Representative Kihano then introduced five sisters from Makaha: Ms. Pat Gibbs, Coleen, Sharon, Kathy and Valerie White.

Representative Carroll then introduced two classmates from the University of Oregon at Eugene--Mrs. Sue Komoliki and Ms. Marsha Shephardson.

At 11:50 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:14 o'clock p.m.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 649 to 656) and concurrent resolutions (H.C.R. No. 124 and S.C.R. Nos. 1, 2, 4, 16 and 36) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
649	Committee on Agriculture, then to the Committee on Higher Education
650	Committee on Health
651	Committee on Youth and Elderly

- Affairs
- 652 Committee on Youth and Elderly Affairs
- 653 Committee on Youth and Elderly Affairs, then to the Committee on Finance
- 654 Committee on Health, then to the Committee on Water, Land Use, Development, and Hawaiian Homes
- 655 Committee on Education
- 656 Committee on Judiciary

H.C.R. No.

- 124 Committee on Judiciary

S.C.R. Nos.

- 1 Committee on Education
- 2 Committee on Education
- 4 Committee on Education
- 16 Committee on Energy and Transportation
- 36 Jointly to the Committees on Education and Higher Education

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 603) informing the House the House Resolution Nos. 649 to 658, House Concurrent Resolution No. 124, and Standing Committee Report Nos. 604 to 610, have been printed and distributed.

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

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 604) recommending that S.C.R. No. 95 be adopted with certain amendments.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and S.C.R. No. 95, as amended, was adopted.

Representative Uechi, for the joint Committees on Agriculture and Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 605) recommending that H.C.R. No. 104 be adopted.

On motion by Representative Uechi, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.C.R. No. 104 was adopted.

Representative Takamura, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 606) recommending that H.R. No. 182 be adopted with certain amendments.

On motion by Representative Takamura, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 182, as amended, was adopted.

Representative Takamura, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 607) recommending that H.R. No. 386 be adopted.

On motion by Representative Takamura, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 386 was adopted.

Representative Takamura, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 608) recommending that H.C.R. No. 85 be adopted.

On motion by Representative Takamura, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.C.R. No. 85 was adopted.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 609) recommending that H.C.R. No. 73 be adopted with certain amendments.

On motion by Representative Shito, seconded by Representative Cayetano and carried, the report of the Committee was adopted and H.C.R. No. 73, as amended, was adopted.

Representative Yuen, for the Committee on Education, presented a report (Stand. Com. Rep. No. 610) recommending that H.R. No. 301 be adopted.

On motion by Representative Blair, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.R. No. 301 was adopted.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 660 and 661) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 660) commending Edgar Antonio, Lynette Furuken, Jeannie Johanning, Cindy Kiyohara, Pam Rasfield, and Tammy Ribucan, award winning students of Ilima Intermediate School was jointly offered by Representatives Ho, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Cayetano, Clarke, Cobb, Garcia, Inaba, Kamalii, Kimura, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Roehrig, Sakima, Santos, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Ho, seconded by Representative Peters, H.R. No. 660 was adopted.

A resolution (H.R. No. 661) congratulating Mrs. Arlene Yoshimura, Hilo High School Business Education Teacher, as the recipient of the State DECA Outstanding Service Award for 1975 was jointly offered by Representatives Segawa, Roehrig, Abercrombie, Ajifu, Akizaki, Blair, Cayetano, Cobb, Evans, Garcia, Ho, Inaba, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Lee, Lunasco, Machida, Mizuguchi, Morioka, Naito, Oda, Peters, Sakima, Shito, Stanley, Suwa, Takamine, Takamura, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Segawa, seconded by Representative Roehrig and carried, H.R. No. 661 was adopted.

A resolution (H.R. No. 662) congratulating Hilo High School's DECA Club on being named the Outstanding School Club in the 1974-75 State competition was jointly offered by Representatives Segawa, Roehrig, Abercrombie, Ajifu, Akizaki, Blair, Cayetano, Cobb, Evans, Garcia, Ho, Inaba,

Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Lee, Lunasco, Machida, Mizuguchi, Morioka, Naito, Oda, Peters, Sakima, Shito, Stanley, Suwa, Takamine, Takamura, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Segawa, seconded by Representative Roehrig and carried, H.R. No. 662 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 663 to 667) and concurrent resolution (H.C.R. No. 125) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 20, 1975:

A resolution (H.R. No. 663) relating to the feasibility of transcendental meditation in the rehabilitation of criminal offenders and drug abusers was offered by Representative Wakatsuki. (By request)

A resolution (H.R. No. 664) encouraging the Board of Directors of the National Golden Gloves to select Honolulu, Hawaii, as the site for the 1977 National Golden Gloves Championship Tournament was offered by Representative Ushijima.

A resolution (H.R. No. 665) requesting an admission policy for State-funded public attractions was offered by Representative Carroll.

A resolution (H.R. No. 666) encouraging State agencies and offices to grant employee leave of absence during the legislative session was jointly offered by Representatives Poepoe, Akizaki, Blair, Cayetano, Clarke, Cobb, Evans, Fong, Ho, Kimura, Kiyabu, Kondo, Kunimura, Larsen, Medeiros, Mizuguchi, Morioka, Oda, Sakima, Santos, Segawa, Shito, Soares, Sutton, Suwa, Takamine, Takamura, Yamada, Yap and Yuen.

A resolution (H.R. No. 667) relating to income tax incentives for members of agricultural cooperatives was jointly offered by Representatives Uechi, Inaba, Kawakami, Lunasco, Machida and Takamine.

A concurrent resolution (H.C.R. No. 125) relating to the feasibility of transcendental meditation in the rehabilitation of criminal offenders and drug abusers was offered by Representative Wakatsuki. (By request)

ADJOURNMENT

At 12:23 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 11:00 o'clock a.m. on Thursday, March 20, 1975.

FORTY-SIXTH DAY

Thursday, March 20, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Sam Sasser of the First Assembly of God Church, after which the Roll was called showing all members present with the exception of Representatives Blair, Cayetano, Ikeda, Roehrig and Takamura, who were excused.

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

On motion by Representative Kimura, seconded by Representative Soares and carried, reading of the Journal was dispensed with and the Journal of the Forty-Fifth Day was approved.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 180) transmitting Senate Concurrent Resolution No. 109 commending the people of Waiahole-Waikane for their efforts in behalf of a uniquely Hawaiian life-style which was adopted by the Senate on March 19, 1975, was read by the Clerk and was placed on file.

By unanimous consent, action on S.C.R. No. 109 was deferred until later in the calendar.

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

Representative Fong introduced 55 students from the Hawaii Baptist Academy and their teachers, Mr. Kaneshiro and Mrs. Henderson.

Representative Yuen introduced 35 students from Kailua High School who were accompanied by their teacher, Mrs. Ing.

Representative Cobb introduced the following students who are here for the Central YMCA Model Legislature Program: Moses Kim, Henry Kauhi and Martin Hiranaga.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 663 to 667) and concurrent resolutions (H.C.R. No. 125 and S.C.R. No. 109) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
663	Committee on Health, then to the Committee on Judiciary
664	Jointly to the Committees on Tourism and Water, Land Use, Development, and Hawaiian Homes
665	Committee on Finance
666	Committee on Labor and Public Employment, then to the Committee on Legislative Management
667	Committee on Agriculture, then to the Committee on Finance

H.C.R. No.

125 Committee on Health, then to the Committee on Judiciary

S.C.R. No.

109 Committee on Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Culture and the Arts

COMMITTEE REASSIGNMENT

S.B. No. 42, SD 2, was re-referred jointly to the Committees on Environmental Protection and Water, Land Use, Development, and Hawaiian Homes.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 611) informing the House that House Resolution Nos. 659 to 667, House Concurrent Resolution No. 125, and Standing Committee Report Nos. 612 to 619, have been printed and distributed.

On motion by Representative Akizaki, seconded by Representative Kiyabu

and carried, the report of the Committee was adopted.

Representative Stanley, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 612) recommending that H.C.R. No. 63 be adopted.

On motion by Representative Stanley, seconded by Representative Peters and carried, the report of the Committee was adopted and H.C.R. No. 63 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 613) recommending that H.R. No. 109 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.R. No. 109 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 614) recommending that H.C.R. No. 98 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.C.R. No. 98 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 615) recommending that H.R. No. 460 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.R. No. 460 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 616) recommending that H.R. No. 359 be adopted.

Representative Kawakami moved that the report of the Committee be adopted and H.R. No. 359 be adopted, seconded by Representative Ho.

Representative Kawakami, upon being recognized, stated:

"Mr. Speaker, on the Committee Report, fourth paragraph, last line, there's a typographical error - should be 'safe' instead of 'unsafe', as stated in the Committee Report."

The motion was put by the Chair and carried and the report of the Committee was adopted and H.R. No. 359 was adopted.

Representative Kawakami, for the majority of the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 617) recommending that H.R. No. 103 be adopted.

Representative Kawakami moved that the report of the Committee be adopted and H.R. No. 103 be adopted, seconded by Representative Ho.

Representative Larsen then rose and stated:

"Mr. Speaker, will the Chairman yield to a question?"

Representative Kawakami replied:

"Yes, since Representative Larsen is in my Committee, I'll answer his question."

The Chair then asked Representative Kawakami if he would like a recess and he replied in the negative.

Representative Larsen then proceeded.

"Mr. Speaker, my question on this resolution is not the fact that we may not need it, but whether it would be more beneficial if we proceeded with the study of the regulations after the current federal and state water study had been completed - probably sometime next year. It's a million dollar study and, I think, this would be more meaningful if we had all the sources of water identified before we started to study the regulating of those amounts and sources of water."

Representative Kawakami then replied:

"Mr. Speaker, the intent of this resolution was for the Committee to study the regulations of water resources throughout the State, and the Committee is reporting back to the Legislature as requested in the original resolution. Now, I think, knowing that the State and the federal government are conducting water resources studies presently, for the benefit of the Committee, I think, we should be kept apprised

of these studies and know what's happening on a current basis. This resolution does not request for any kind of comprehensive study, but just a legislative committee review of the current studies that are presently being undertaken by the State."

Representative Larsen then thanked the Chair.

The motion was put by the Chair and carried and the report of the majority of the Committee was adopted and H.R. No. 103 was adopted.

Representative Yuen, for the Committee on Education, presented a report (Stand. Com. Rep. No. 618) recommending that H.R. No. 60 be adopted with certain amendments.

On motion by Representative Yuen, seconded by Representative Machida and carried, the report of the Committee was adopted and H.R. No. 60, as amended, was adopted.

Representative Takamura, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 619) recommending that H.R. No. 491 be adopted with certain amendments.

On motion by Representative Blair, seconded by Representative Kondo and carried, the report of the Committee was adopted and H.R. No. 491, as amended, was adopted.

At this time, the Chair directed the Clerk to note the presence of Representative Kunimura.

INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 668) congratulating Walter B. Lum on his selection as Hawaii's Engineer of the Year was jointly offered by Representatives Kimura, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Garcia, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Roehrig, Sakima, Santos, Segawa, Shito, Soares, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Kimura, seconded by Representative Ushijima

and carried, H.R. No. 668 was adopted.

At this time, Representative Kimura introduced Mr. Lum to the members of the House. He also introduced Mr. Elroy Chong and Kazu Sunada who were seated alongside Mr. Lum in the gallery.

By unanimous consent, the following resolutions (H.R. Nos. 669 to 676) and concurrent resolution (H.C.R. No. 126) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 21, 1975:

A resolution (H.R. No. 669) requesting the Attorney General to conduct an investigation pursuant to Chapter 480, Hawaii Revised Statutes, as it relates to the egg, poultry, and feed industries was jointly offered by Representatives Uechi, Abercrombie, Akizaki, Blair, Cobb, Garcia, Ho, Inaba, Kawakami, Lee, Lunasco, Machida, Naito, Oda, Peters, Roehrig, Stanley, Suwa, Takamine, Yamada, Yap and Yuen.

A resolution (H.R. No. 670) requesting the Department of Land and Natural Resources to reassess the orientation of the Kahana Valley plans was jointly offered by Representatives Kawakami, Abercrombie, Ajifu, Clarke, Fong, Ho, Inaba, Kihano, Morioka, Roehrig, Uechi and Yap (by request).

A resolution (H.R. No. 671) requesting the Legislative Auditor's Office to conduct a study on the compensation for members of boards and commissions was offered by Representative Kimura.

A resolution (H.R. No. 672) requesting the Legislative Auditor's Office to conduct a study to determine the feasibility of a regular four year management audit of all state departments was offered by Representative Kimura.

A resolution (H.R. No. 673) requesting review of the Workmen's Compensation Law was offered by Representative Lee.

A resolution (H.R. No. 674) requesting the University of Hawaii to assume responsibility for funding the position of Coordinator of the Youth Action Program was jointly offered by Representatives Peters, Akizaki, Cayetano, Cobb, Ho, Kihano, Kunimura, Lunasco, Machida, Morioka, Naito, Shito, Stanley, Suwa, Takamura,

Yamada, Yuen and Wakatsuki.

A resolution (H.R. No. 675) requesting a legislative study of the Child Labor Laws and Regulations in this State was jointly offered by Representatives Peters, Cobb, Ho, Kihano, Kunimura, Lee, Lunasco, Machida, Morioka, Naito, Shito, Stanley, Takamura, Yamada and Yuen.

A resolution (H.R. No. 676) requesting a report on projects for erosion control at Waikiki Beach, Oahu, was offered by Representative Carroll.

A concurrent resolution (H.C.R. No. 126) requesting the Attorney

General to conduct an investigation pursuant to Chapter 480, Hawaii Revised Statutes, as it relates to the egg, poultry, and feed industries was jointly offered by Representatives Uechi, Abercrombie, Akizaki, Blair, Cobb, Garcia, Ho, Inaba, Lee, Lunasco, Machida, Naito, Oda, Peters, Roehrig, Stanley, Suwa, Yamada, Yap and Yuen.

ADJOURNMENT

At 11:43 o'clock a.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 11:30 o'clock a.m. on Friday, March 21, 1975.

FORTY-SEVENTH DAY

Friday, March 21, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend John J. Sullivan of Star of the Sea Church, after which the Roll was called showing all members present with the exception of Representatives Ikeda, Inaba, Kunimura, Lee, Peters and Yamada, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-Sixth Day.

On motion by Representative Kimura, seconded by Representative Soares and carried, reading of the Journal was dispensed with and the Journal of the Forty-Sixth Day was approved.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 181) transmitting Senate Concurrent Resolution No. 8, SD 1, requesting the United States Congress and the Directors of federal agencies to provide adequately for the control and treatment of communicable diseases among immigrants to Hawaii, which was adopted by the Senate on March 20, 1975, was read by the Clerk and was placed on file.

By unanimous consent, further action on S.C.R. No. 8, SD 1 was deferred until Monday, March 24, 1975.

The Chair directed the Clerk to note the presence of Representatives Kunimura, Lee, Peters and Yamada.

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

Representative Evans introduced Ruby and Garth Hansen from Lihue, Kauai.

Representative Evans then introduced six students from Hawaiian Mission Academy: Karen Oi, Clark Hallam,

Bari Hotchkiss, Steve Thomas, Colette Smith and Jack McCauley.

Representative Uechi introduced 131 fourth grade students from Moanalua Elementary School and their teachers, Mrs. Amy Kunihiha, Mr. Calvin Hashimoto, Mrs. Amelia Ohye, Mrs. Eileen Maeshiro, Mrs. Edna Kajiwarara and Miss Alicia Arakaki.

Representative Naito introduced 25 sixth grade students from Liholiho Elementary School and their teachers, Mrs. Chang and Mr. Wong, and parents, Mrs. Arista and Mrs. Lee.

Representative Yap introduced 80 fourth grade students from Kalihi-Uka Elementary School and their teachers, Mrs. Wendy Nakanishi, Miss Alice Takata, Mrs. Marlene Nakao and Miss Sandra Diamond.

Representative Kondo introduced members of the UPW lobbyist group as follows: Oahu--Dorothy Asam; hospital group, Momi Tong and Ella Wright; Kauai--Masumi Matsuda; Hawaii--Kiyoshi Nagata and William Ahea; Maui--Charles Iwata, Masayuki Okamura and Francis Yuhara. They were accompanied by Mr. Henry Epstein, State Director of the United Public Workers.

Representative Lee introduced 72 fifth grade students from Kainalu Elementary School and their teachers, Mrs. Bernice Chung, Mrs. Ruth Nishimura and Mrs. Patsy Sakai.

Representative Kawakami introduced a group of forty-four social studies students from Waimea High School on Kauai. They were accompanied by their teacher, Ms. Frances Moriguchi, and a chaperone, Ms. Violet Okamura.

Representative Kimura introduced three juniors from Saint Andrews Priory: Ann Masuno, Mary Russell and Kathy Yamaguchi.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, the rules were suspended for the purpose of permitting Representative Lee to offer a resolution.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 677) congratulating the Farrington High School Football team for capturing the 1974 Eastern Division Championship of the Oahu Interscholastic Association and congratulating individual team members for being named to the all-star teams was jointly offered by Representatives Lee, Abercrombie, Amaral, Blair, Cayetano, Evans, Fong, Garcia, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kunimura, Larsen, Machida, Mizuguchi, Morioka, Naito, Peters, Roehrig, Sakima, Santos, Segawa, Shito, Soares, Stanley, Suwa, Takamine, Takamura, Yamada and Wakatsuki and was read by the Clerk.

On motion by Representative Lee, seconded by Representative Garcia and carried, H.R. No. 677 was adopted.

At this time, Representative Lee introduced to the members of the House the following football players: Willy Galoia and Ricky Laboy, co-captains; Sau Vaefaga and Beldon Kealoha.

Representative Lee then presented certified copies of House Resolution 677 to the above-mentioned players.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 669 and 676) and concurrent resolutions (H.C.R. No. 126 and S.C.R. No. 8) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
669	Committee on Agriculture, then to the Committee on Judiciary
670	Committee on Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Culture and the Arts
671	Committee on Finance
672	Committee on Finance
673	Committee on Labor and Public Employment
674	Committee on Higher Education

675 Committee on Labor and Public Employment, then to the Committee on Youth and Elderly Affairs

676 Committee on Water, Land Use, Development, and Hawaiian Homes

H.C.R. No.

126 Committee on Agriculture, then to the Committee on Judiciary

S.C.R. No.

8 Committee on Health

COMMITTEE REASSIGNMENT

H.R. No. 642 was re-referred to the Committee on Public Assistance and Human Services

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 620) informing the House that House Resolution Nos. 668 to 676, House Concurrent Resolution No. 126, and Standing Committee Report Nos. 621 to 630, have been printed and distributed.

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

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 621) recommending that S.B. No. 1332, SD 1, pass Second Reading and be referred to the Committee on Environmental Protection.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and S.B. No. 1332, SD 1, passed Second Reading and was referred to the Committee on Environmental Protection.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 622) recommending that S.B. No. 537 pass Second Reading and be referred to the Committee

on Judiciary.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and S.B. No. 537 passed Second Reading and was referred to the Committee on Judiciary.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 623) recommending that S.B. No. 335 pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and S.B. No. 335 passed Second Reading and was referred to the Committee on Higher Education.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 624) recommending that S.B. No. 33, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and S.B. No. 33, SD 2, passed Second Reading and was referred to the Committee on Finance.

At 11:50 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:07 o'clock p.m.

Representative Kawakami, for the majority of the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 625) recommending that H.C.R. No. 102 be adopted.

Representative Kawakami moved that the report of the majority of the Committee be adopted and H.C.R. No. 102 be adopted, seconded by Representative Ho.

Representative Abercrombie then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I would like to rise and speak against House Concurrent Resolution No. 102.

Mr. Speaker, this pernicious practice--that is to say, the idea of considering the transfer of development rights, confers upon landowners a 'right' which does not even rate the title of 'mythological.' Transfer development right is a complete fiction. There is not now, nor has there ever been, such an inherent right in the ownership of land. Once this device is in operation; once it is considered, the rationale for its extension will be endless.

I consider the passage of this resolution against the best interests of the people of the State of Hawaii. Thank you, Mr. Speaker."

Representative Cobb, upon being recognized by the Chair, stated:

"Mr. Speaker, in voting for this resolution, I would like to make it clear that my affirmative vote does not constitute an endorsement of this concept, but merely a willingness to consider whatever material comes out of the study."

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. 102 was adopted.

Representative Kawakami, for the majority of the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 626) recommending that H.R. No. 545 be adopted.

Representative Kawakami moved that the report of the majority of the Committee be adopted and H.R. No. 545 be adopted, seconded by Representative Ho.

Representative Abercrombie then rose and requested that his remarks on H.C.R. 102 be incorporated in H.R. No. 545:

"Mr. Speaker, this pernicious practice--that is to say, the idea of considering the transfer of development rights, confers upon landowners a 'right' which does not even rate the title of 'mythological.' Transfer development right is a complete fiction. There is not now, nor has there ever been, such an inherent right in the ownership of land.

Once this device is in operation; once it is considered, the rationale for its extension will be endless.

I consider the passage of this resolution against the best interests of the people of the State of Hawaii. Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.R. No. 545 was adopted.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 627) recommending that S.B. No. 559, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 559, SD 1, passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1975.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 628) recommending that S.B. No. 1345, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 1345, SD 1, passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1975.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 559, SD 1 and 1345, SD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Machida, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 629) recommending that H.C.R. No. 55 be adopted with certain amendments.

On motion by Representative Machida, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.C.R. No. 55, as amended, was adopted.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 630) recommending that S.B. No. 1049, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Segawa, seconded by Representative Naito and carried, the report of the Committee was adopted and S.B. No. 1049, SD 1, passed Second Reading and was referred to the Committee on Judiciary.

INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 678) commending the exemplary service of Abraham Aiona to the County of Maui was jointly offered by Representatives Amaral, Kondo, Machida and Santos and was read by the Clerk.

On motion by Representative Amaral, seconded by Representative Machida and carried, H.R. No. 678 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 679 to 686) and concurrent resolutions (H.C.R. Nos. 127 and 128) were referred to the Committee on Legislative Management and further action was deferred until Monday, March 24, 1975:

A resolution (H.R. No. 679) establishment of a Agricultural Service Center in the College of Tropical Agriculture was jointly offered by Representatives Uechi, Akizaki, Blair, Cobb, Ho, Kiyabu, Lee, Lunasco, Machida, Mizuguchi, Morioka, Suwa and Yap.

A resolution (H.R. No. 680) relating to the preservation of agricultural lands by the establishment of a statewide system of agricultural preserves was jointly offered by Representatives Uechi, Akizaki, Blair, Cobb, Ho, Kiyabu, Lee, Lunasco, Machida, Mizuguchi, Morioka, Suwa and Yap.

A resolution (H.R. No. 681) relating to wholesale gasoline prices was jointly offered by Representatives Yamada, Ajifu, Fong, Oda, Uechi, Ushijima and Yuen.

A resolution (H.R. No. 682) requesting clarification of the employment status of insurance solicitors was jointly offered by Representatives Yamada and Kihano.

A resolution (H.R. No. 683) relating

to the establishment of a parent education program was jointly offered by Representatives Takamura, Evans, Abercrombie, Blair, Fong, Hakoda, Kamalii, Kimura, Sakima, Santos, Takamine and Yuen.

A resolution (H.R. No. 684) requesting that the City and County of Honolulu Department of Transportation install a traffic signal on Dillingham Boulevard was offered by Representative Garcia.

A resolution (H.R. No. 685) relating to preservation of Waiahole-Waikane life-style was jointly offered by Representatives Yuen, Blair, Cobb, Ho, Lee, Machida, Mizuguchi, Morioka, Suwa, Uechi and Yap.

A resolution (H.R. No. 686) requesting the Public Works Committees of the U.S. House of Representatives and the U.S. Senate to consider amending P.L. 92-500 to give needed relief where secondary treatment is not necessary was jointly offered by Representatives Blair, Akizaki, Cayetano, Cobb, Kawakami, Kihano, Kondo, Lunasco, Machida, Sakima, Shito and Suwa.

A concurrent resolution (H.C.R. No. 127) relating to preservation of Waiahole-Waikane life-style was jointly offered by Representatives Yuen, Blair, Cobb, Ho, Lee, Machida, Mizuguchi, Morioka, Suwa, Uechi and Yap.

A concurrent resolution (H.C.R. No. 128) requesting the Public Works Committees of the U.S. House of Representatives and the U.S. Senate to consider amending P.L. 92-500 to give needed relief where secondary treatment is not necessary was jointly offered by Representatives Blair, Akizaki, Cayetano, Cobb, Kawakami, Kihano, Kondo, Lunasco, Machida, Sakima, Shito and Suwa.

DISPOSITION OF MATTER
PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 360, as amended by the Senate, was taken from the Clerk's desk.

Representative Yamada moved that the House disagree to the amendments proposed by the Senate to House Bill 360, seconded by Representative Yap.

Representative Yamada then rose and explained the reasons for disagreeing to the Senate amendment:

"Mr. Speaker, House Bill 360 relates to the Office of Consumer Protection.

Mr. Speaker, the Senate put back two sections which your Committee on Consumer Protection and Commerce had deleted from the bill. First, on page 2, they added back in a restitution provision which, in effect, gives the Office of Consumer Protection the power to seek restitution. But, your Committee had felt that such restitution powers should be given to the court and, in effect, we have passed the bill covering that matter by using another vehicle to the Senate.

The second section which the Senate put back in is giving the Office of Consumer Protection arbitration powers. Your Committee felt that it would be unfair for the Consumer Protector to be the arbitrator and also the prosecutor in a civil action and, therefore, we deleted."

The motion to disagree to the Senate amendments was put by the Chair and carried, and the House disagreed to the amendments proposed by the Senate to H.B. No. 360 and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Yamada, Chairman; Yap, Cobb, Naito, Carroll and Sutton were appointed as Managers on the part of the House for the consideration of said amendments.

At this time, Representative Kunimura rose on a point of information and inquired:

"Mr. Speaker, I have before me this morning five House Journals dated from March 14, 17, 18, 19 and 20th. Were these distributed to us this morning?"

The Chair replied:

"That is so."

Representative Kunimura further queried:

"Is it going to be the practice of this House that we are going to delay the delivery of Journals for one week now or is it going to be a practice that we are going to maintain

that the Journal of the House be prepared and delivered and made available to the members of the House the day following the previous session?"

The Chair responded:

"It is the Chair's understanding that the House Rule says, 'as soon thereafter as practicable.' "

Representative Kunimura concluded:

"Thank you for your very evasive answer."

ADJOURNMENT

At 12:20 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 11:30 o'clock a.m. on Monday, March 24, 1975.

FORTY-EIGHTH DAY

Monday, March 24, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Stephen Hanashiro of Waiokeola Congregational Church, after which the Roll was called showing all members present with the exception of Representatives Ikeda and Takamura, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-Seventh Day.

On motion by Representative Kimura, seconded by Representative Soares and carried, reading of the Journal was dispensed with and the Journal of the Forty-Seventh Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 67 to 69) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 67) transmitting copies of a Report of Achievements of Programs on Aging prepared by the Commission on Aging for the fiscal period July 1, 1972 to June 30, 1973, was placed on file.

A message from the Governor (Gov. Msg. No. 68) transmitting copies of the State's C.I.P. Status Report - Bond Fund Summary prepared by the Department of Planning and Economic Development with the cooperation of the Department of Accounting and General Services, was placed on file.

A message from the Governor (Gov. Msg. No. 69) transmitting copies of a report prepared by the Hawaii Housing Authority, Department of Social Services and Housing, pursuant to Section 356-26, Hawaii Revised Statutes, was placed on file.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 182) transmitting

Senate Concurrent Resolution No. 9 requesting the United States Department of Agriculture to promptly implement new rural housing aid programs which was adopted by the Senate on March 21, 1975, was read by the Clerk and was placed on file.

By unanimous consent, action on S.C.R. No. 9 was deferred until later in the calendar.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, the rules were suspended for the purpose of permitting members to offer resolutions.

INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 687) congratulating the Iolani School Stage Band in winning the championship trophy in the Class "A" Division at the Reno Invitational Jazz Competition was jointly offered by Representatives Kamalii, Ajifu, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Garcia, Hakoda, Ho, Kihano, Kimura, Kiyabu, Larsen, Lee, Lunasco, Medeiros, Naito, Oda, Poepoe, Sakima, Santos, Shito, Soares, Sutton, Ushijima and Yamada and was read by the Clerk.

On motion by Representative Kamalii, seconded by Representative Soares and carried, H.R. No. 687 was adopted.

Representative Kamalii then introduced the members of the Jazz Band who were in the gallery; the Director, Mr. Wayne DeMello; and Assistant Conductor, Allan Ing; after which she presented them with certified copies of House Resolution No. 687.

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

Representative Takamine introduced 28 students from the Honokaa Hongwanji Sunday School and the following teachers and chaperones: Ms. Harue Furumoto, Mrs. Imai, Mrs. Kaneshiro, Mrs. Kawakami, Mrs. Shinde, Mrs. Honda, Mrs. Nakagawa, Mrs. Nakanishi, Mrs. Fujiwara, Mrs. Yamamoto

and Mrs. Alip.

Representative Takamine also introduced Mr. and Mrs. Takashi Murakami from Papaloa, Hawaii.

Representative Ushijima introduced members of the Meiji University Baseball team who are here participating in the Rainbow Easter Baseball Tournament. They were accompanied by their coach, Mr. Kichiro Shimaoka, and Mr. Kenkichi Matsuo, Director of Baseball.

Representative Cobb introduced John Thompson who is a Senior at Iolani School and is here as part of the school's Intern Program.

Representative Sutton introduced Mr. and Mrs. Galko who come from the "sovereign State of Ohio" - Cleveland - "the cradle of five presidents and where the first American League baseball game was played."

Representative Lunasco, on a point of personal privilege, rose and stated:

"I wonder if my colleague, Ike Sutton, is planning to run for president some day?"

Representative Sutton replied:

"This morning when I looked at my watch, it did not run and I figured my watch was correct."

Representative Abercrombie then rose on a point of personal privilege to ask a question of Representative Sutton.

The Chair then asked Representative Abercrombie to "state your point of information."

Representative Abercrombie then stated:

"Inasmuch as Representative Sutton is as enthusiastic about the city of Cleveland, Ohio, I wonder if he wants to take responsibility of what's gonna go on this afternoon with Mr. Ali and Mr. Wepner?"

Representative Sutton then replied:

"Mr. Speaker, I am the only one in this room, Sir, who has ever fought Joe Louis and, I think, Joe indicated to me that Ali will win tonight."

The Chair then responded:

"It's the Chair's understanding that you fought Joe Louis on paper."

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 679 to 686) and concurrent resolutions (H.C.R. Nos. 127 and 128 and S.C.R. No. 9) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
679	Committee on Higher Education, then to the Committee on Agriculture
680	Jointly to the Committees on Agriculture and Water, Land Use, Development, and Hawaiian Homes
681	Committee on Consumer Protection and Commerce
682	Committee on Consumer Protection and Commerce, then to the Committee on Finance
683	Committee on Education
684	Committee on Energy and Transportation
685	Jointly to the Committees on Water, Land Use, Development, and Hawaiian Homes and Agriculture
686	Committee on Environmental Protection

H.C.R. Nos.

127	Jointly to the Committees on Water, Land Use, Development, and Hawaiian Homes and Agriculture
128	Committee on Environmental Protection

S.C.R. No.

9	Committee on Housing
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COMMITTEE REASSIGNMENTS

The following were re-referred as follows:

<u>H.R. No.</u>	<u>Re-referred to:</u>
664	Committee on Tourism

S.B. No.

1200 Committee on Housing

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 631) informing the House that House Resolution Nos. 677 to 686, House Concurrent Resolution Nos. 127 and 128, and Standing Committee Report Nos. 632 to 646, have been printed and distributed.

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

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 632) recommending that S.B. No. 110, SD 2, pass Second Reading and be referred to the Committee on Higher Education.

Representative Segawa moved that the report of the Committee be adopted and that S.B. No. 110 pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative Naito.

Representative Suwa then rose and stated:

"This Senate Bill No. 110, SD 2 - it seems that there is no financial implication, but in years to come, it will have financial implication. And, also, Mr. Speaker, there are some misgivings as to the time the Medical School was studied, and one of the strong rationale used for in favor of the Medical School, was the utilization of Leahi Hospital. Mr. Speaker, if you will look at the tape and go back and if you look at the Journal, it seems that it is okay, now that the Medical School is on the way, that they no longer use the rationale of Leahi Hospital; but, I have some strong reservations, and in the area of Medical School, if this is the way they are going to start some program and later on use some other excuse, I have some strong reservations of the Medical School."

Representative Abercrombie then stated:

"Mr. Speaker, I am not sure of the protocol, that's why I am rising. I have no objections, I think, to the matter being referred to Higher Education, but I want my favorable vote to be recorded with this reservation, for the Journal; that I think this is a tremendous mistake if this takes place and I don't want my favorable vote in any way, shape or form to reflect a favorable attitude towards what the bill proposals."

The motion was put by the Chair and carried and the report of the Committee was adopted and S.B. No. 110 passed Second Reading and was referred to the Committee on Higher Education.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 633) recommending that H.R. No. 416 be referred to the Committee on Energy and Transportation with certain amendments.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.R. No. 416, as amended, was referred to the Committee on Energy and Transportation.

At 11:48 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:37 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Takamura.

Representative Stanley, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 634) recommending that H.C.R. No. 72 be adopted with certain amendments.

On motion by Representative Stanley, seconded by Representative Peters and carried, the report of the Committee was adopted and H.C.R. No. 72, as amended, was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 635) recommending that H.C.R. No. 105 be adopted with certain amendments.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.C.R. No. 105,

as amended, was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 636) recommending that H.C.R. No. 54 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.C.R. No. 54 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 637) recommending that H.C.R. No. 47 be adopted with certain amendments.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.C.R. No. 47, as amended, was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 638) recommending that H.C.R. No. 82 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.C.R. No. 82 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 639) recommending that H.R. No. 456 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.R. No. 456 was adopted.

Representative Kawakami, for the joint Committees on Water, Land Use, Development, and Hawaiian Homes and Housing, presented a report (Stand. Com. Rep. No. 640) recommending that H.R. No. 111 be adopted.

On motion by Representative Kawakami, seconded by Representative Shito and carried, the report of the joint Committees was adopted and H.R. No. 111 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 641) recommending that H.R. No. 398 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.R. No. 398 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 642) recommending that H.R. No. 475 be adopted with certain amendments.

On motion by Representative Blair, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 475, as amended, was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 643) recommending that H.R. No. 566 be adopted with certain amendments.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.R. No. 566, as amended, was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 644) recommending that H.R. No. 543 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.R. No. 543 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 645) recommending that S.B. No. 714, SD 1, pass Second Reading and be referred to the Committee on Finance, with certain amendments.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and S.B. No. 714, SD 1, as amended, passed Second Reading and was referred to the Committee on Finance by a vote

of 48 ayes to 2 noes, with Representatives Abercrombie and Cobb voting no, and Representative Ikeda being excused.

Representative Machida, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 646) recommending that H.R. No. 664 be adopted.

On motion by Representative Machida, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 664 was adopted.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 688 to 692) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 688) recognizing the BAHA'I Faith's television programs produced in conjunction with Channel Four (KITV) was offered by Representative Garcia.

On motion by Representative Garcia, seconded by Representative Cayetano and carried, H.R. No. 688 was adopted.

A resolution (H.R. No. 689) congratulating Takuji Fujimura for excellence in fisheries research was jointly offered by Representatives Kawakami, Abercrombie, Ajifu, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Ho, Inaba, Kihano, Kimura, Kondo, Larsen, Lunasco, Machida, Medeiros, Morioka, Naito, Oda, Poepoe, Roehrig, Sakima, Segawa, Shito, Sutton, Takamine, Uechi and Yap.

On motion by Representative Kawakami, seconded by Representative Ho and carried, H.R. No. 689 was adopted.

A resolution (H.R. No. 690) congratulating the Pearl City Chargers Varsity Boys Swimming team on winning the Oahu Interscholastic Association Western Division title was jointly offered by Representatives Cayetano, Ajifu, Akizaki, Blair, Cobb, Evans, Hakoda, Ho, Kihano, Kimura, Kiyabu, Larsen, Lee, Lunasco, Machida, Mizuguchi, Morioka, Oda, Segawa, Suwa, Takamine, Takamura, Uechi and Yuen.

On motion by Representative Cayetano, seconded by Representative Mizuguchi and carried, H.R. No. 690 was adopted.

A resolution (H.R. No. 691) commending the Hawaiian Academy of Science for their efforts and success in promoting the interest of our young students in the field of science and engineering was jointly offered by Representatives Cayetano, Ajifu, Akizaki, Blair, Cobb, Evans, Hakoda, Ho, Kihano, Kimura, Kiyabu, Larsen, Lee, Lunasco, Machida, Mizuguchi, Morioka, Oda, Segawa, Suwa, Takamine, Takamura, Uechi and Yuen.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, H.R. No. 691 was adopted.

A resolution (H.R. No. 692) honoring the memory of Manuel Souza Henriques: Legislator, Statesman and Humanitarian was jointly offered by Representatives Kunimura, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Garcia, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Lee, Lunasco, Machida, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Sakima, Santos, Segawa, Shito, Soares, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

Representative Kunimura, at this time, made the following request:

"Mr. Speaker, for the benefit of the old timers here, I would like to make the motion in the manner in which Representative Henriques used to do - with your permission."

Upon receiving permission from the Chair, Representative Kunimura moved for the adoption of H.R. No. 692, which was seconded by Representative Kawakami.

Representative Suwa then rose and remarked:

"Mr. Speaker, I'm gonna vote for the resolution, but I cannot agree to one section saying 'no one can duplicate'; but he has demonstrated that he can imitate."

The motion was then put by the Chair and carried and H.R. No. 692 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 693 to 699)

and concurrent resolutions (H.C.R. Nos. 129 and 130) were referred to the Committee on Legislative Management and further action was deferred until Tuesday, March 25, 1975:

A resolution (H.R. No. 693) requesting a study of the possible regulation of swap meets was jointly offered by Representatives Kihano, Akizaki, Inaba, Kiyabu, Kunimura, Lunasco, Morioka, Peters, Suwa and Yap.

A resolution (H.R. No. 694) requesting the Real Estate Commission to review problems relating to the horizontal property regimes, Chapter 514, and to enact rules and regulations or recommend corrective legislation was offered by Representative Kondo.

A resolution (H.R. No. 695) requesting the establishment of a Farmer's Market at Fort Armstrong, Oahu, was jointly offered by Representatives Uechi, Clarke, Cobb, Inaba, Kihano, Larsen, Lee, Lunasco, Peters, Sakima, Segawa, Shito, Takamura, Yuen and Wakatsuki.

A resolution (H.R. No. 696) requesting expansion of the Early Admissions Program of the Community Colleges was jointly offered by Representatives Ikeda, Amaral, Hakoda, Larsen, Machida, Sakima, Santos and Yuen.

A resolution (H.R. No. 697) recognizing the observance of National Secretaries Week, April 20 to 25, 1975 was jointly offered by Representatives Poepoe, Ajifu, Carroll, Evans, Fong, Kimura, Larsen, Oda, Roehrig, Sakima, Santos, Shito, Soares, Sutton and Takamine.

A resolution (H.R. No. 698) relating to immunization of school children was jointly offered by Representatives Santos, Ajifu, Clarke, Fong, Kamalii, Medeiros, Oda and Poepoe.

A resolution (H.R. No. 699) relating to the elimination of the Department of Health's Means Test in regards to the Child Health Conferences was jointly offered by Representatives Santos, Ajifu, Clarke, Fong, Kamalii, Medeiros, Oda and Poepoe.

A concurrent resolution (H.C.R. No. 129) requesting the establishment

of a Farmer's Market at Fort Armstrong, Oahu, was jointly offered by Representatives Uechi, Clarke, Cobb, Inaba, Kihano, Larsen, Lee, Lunasco, Peters, Sakima, Segawa, Shito, Takamura, Yuen and Wakatsuki.

A concurrent resolution (H.C.R. No. 130) urging the United States Congress to include Hawaiians as a native American Special Target Group under the Comprehensive Employment and Training Act was jointly offered by Representatives Kamalii, Ajifu, Akizaki, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Inaba, Kihano, Kimura, Kiyabu, Lee, Lunasco, Medeiros, Mizuguchi, Morioka, Oda, Poepoe, Santos, Stanley, Suwa, Takamine, Uechi and Yuen.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, 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:

S.B. No. 559

On motion by Representative Lee, seconded by Representative Takamine, S.B. No. 559, SD 1, passed Third Reading by a vote of 50 ayes, with Representative Ikeda being excused.

S.B. No. 1345

On motion by Representative Lee, seconded by Representative Takamine, S.B. No. 1345, SD 1, passed Third Reading by a vote of 50 ayes, with Representative Ikeda being excused.

The Chair directed the Clerk to note that S.B. Nos. 559 and 1345 passed Third Reading not earlier than 12:45 o'clock p.m.

ADJOURNMENT

At 12:48 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 11:30 o'clock a.m. on Tuesday, March 25, 1975 in memory of the late Manuel S. Henriques.

FORTY-NINTH DAY

Tuesday, March 25, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Rabbi Julius J. Nodel of Temple Emanu-El, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Garcia and Ikeda, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-Eighth Day.

On motion by Representative Kimura, seconded by Representative Soares and carried, reading of the Journal was dispensed with and the Journal of the Forty-Eighth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 183 and 184) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 183) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 360, HD 1, and the request for a conference on the subject matter of said amendments, Senators Kuroda, Chairman; Kawasaki and Leopold had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 184) returning House Concurrent Resolution No. 85 which was adopted by the Senate on March 24, 1975, was placed on file.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, the rules were suspended for the purpose of permitting members to offer resolutions.

INTRODUCTION OF RESOLUTIONS

At this time, Representative Inaba introduced the 1975 Kona Coffee Queen, Patti Hokulani Honda, who is on her way to the mainland to promote the Kona Coffee industry and also the Hawaii Aloha spirit. She was presented with a white carnation lei by Representative Suwa. Accompanying the Queen were Sylvia Domingo, Princess of the Court; Mrs. Julia Honda, mother of the Queen and Chairperson of the Kona Coffee Festival; and Mr. Ted Lewis from the Superior Tea Company, sponsors of the Queen's trip to the mainland. Ms. Domingo and Mrs. Honda were presented with white carnation leis by Representatives Takamine and Segawa respectively.

Representative Inaba presented certified copies of House Resolution No. 658 to them.

At 11:43 o'clock a.m., the Chair declared a recess, subject to the call of the chair.

Upon reconvening at 11:50 o'clock a.m., the Chair directed the Clerk to note the presence of Representative Abercrombie.

The following resolutions (H.R. Nos. 700 and 701) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 700) congratulating Scott O. Zeitlin on his selection as a winner of Westinghouse Science Talent Search was jointly offered by Representatives Larsen, Ajifu, Blair, Clarke, Cobb, Fong, Hakoda, Kawakami, Kihano, Kimura, Kunimura, Lunasco, Medeiros, Morioka, Naito, Oda, Peters, Poepoe, Sakima, Santos, Segawa, Shito, Soares, Takamine and Takamura.

On motion by Representative Larsen, seconded by Representative Lunasco and carried, H.R. No. 700 was adopted.

Representative Larsen rose and stated:

"Mr. Speaker, I would like to say a few words other than the ones mentioned in the resolution.

Scott, as you noticed from the resolution, is a graduate of our public school system, and he is probably one of forty top candidates in science that were selected from the United States. Not every state has the honor of having a candidate and, in our case, Hawaii

had two selected to go to Washington to receive the prize. I'd like to mention, also, that Scott Zeitlin's father, Harry Zeitlin, was a young doctoral candidate when I was at the University of Hawaii also working for Ma Bilger - that was quite an experience in itself.

I would like to mention that Scott has been selected to go to MIT and to Reed; he hesitated to mention that his preference is Stanford University. But I would like, at this time, to give a copy of the resolution to Scott and have him rise and receive the congratulations from this House."

A resolution (H.R. No. 701) extending aloha and best wishes to the Tanabe Senior High School Baseball Team of the Wakayama Prefecture, Japan, was jointly offered by Representatives Ushijima, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Fong, Hakoda, Ho, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Roehrig, Sakima, Segawa, Shito, Soares, Stanley, Sutton, Takamine, Takamura, Uechi, Yamada and Yap.

On motion by Representative Ushijima, seconded by Representative Hakoda and carried, H.R. No. 701 was adopted.

Representative Ushijima then proceeded to introduce the honorees who were seated in the gallery, along with the following: Mr. Rikki Tanooka, vice-principal; Mr. Toshiaki Kutani, athletic director; Mr. Hideki Iwamoto, head coach; Mr. Osamu Morimoto, assistant coach; and the hosts from McKinley High School: Mr. Raynar Minami, coach; Mr. Ron Kishimoto, assistant coach; and former staff member and now vice-principal of Nanakuli School, Mr. Walter Nozoe.

At this time, Representative Kunimura rose on a point of personal privilege and stated:

"I think you're calling the votes too fast, Mr. Speaker, and may I suggest, for the benefit of our foreign guests, they may think that they are attending the Kentucky Legislature with a tobacco auctioneer calling the vote. . . . I would

like to request that you call the vote very slowly - all those in favor, say 'aye', oppose 'no'."

The Chair then stated:

"I would like to request for the members to keep in touch."

At 12:00 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:03 o'clock p.m.

A resolution (H.R. No. 702) commemorating Prince Kuhio's Birthday was jointly offered by Representatives Peters, Ajifu, Blair, Cayetano, Cobb, Evans, Ho, Kihano, Kiyabu, Kunimura, Lunasco, Machida, Morioka, Naito, Shito, Soares, Stanley, Takamine, Takamura, Yamada, Yuen and Wakatsuki.

On motion by Representative Peters, seconded by Representative Ho and carried, H.R. No. 702 was adopted.

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

Representative Kiyabu introduced 45 8th grade students from St. Patrick's School and their teacher, Ms. Kay Hones.

Representative Shito introduced Mrs. Diane Akau and Mrs. Jerry Young.

Representative Sutton introduced Mr. and Mrs. Webber from Mission San Anselimo, California. They are here to attend the Prince Kuhio Day ceremonies in Waianae in which "Representatives Peters, Ho and Sutton will be participating, and they have not made up their minds yet who will be Prince Kuhio."

Representative Abercrombie then rose and stated:

"I would like to indicate to this honorable House that I, too, have been privileged with an invitation from Waianae for Saturday, and I am pretty sure I won't be Prince Kuhio."

Representative Ho then rose on a point of personal privilege and stated:

"On Saturday we have a Waianae Kuhio Day Parade. Brother Henry

and I will be performing. I am fortunate to be representing Molokai as one of the horsemen. We invited Representative Sutton, but the only problem is we couldn't find a horse big enough for him, so I don't know what or where he's gonna ride. I hope he brings his cadillac."

Representative Abercrombie, on a point of personal privilege, stated:

"Mr. Speaker, I might say that should they find a horse big enough for Representative Sutton to ride, I'd be happy to loan him my shirt. Thank you."

Representative Larsen, on a point of personal privilege, stated:

"I would like to make a correction, so far as the announcement on the parade - I have also been invited, thanks to Mr. Peters and Mr. Ho."

Representative Peters then rose and stated:

"Just by way of information, I have been selected as Prince Kuhio, and that decision was devoid of political implications."

Representative Segawa introduced 27 students from the Hilo YWCA Bowling Group and their advisors, Ms. Jean Yamanaka, Ms. Gay Ishimaru and Carol Ishimaru.

Representative Kawakami introduced Mr. A.C. Allan, "a friend from the great State of Arizona. Arizona is sometimes known as the Sunset State; and perhaps the regularity of Mr. Allan's trips to Hawaii adds validity to the nickname. When the sun sets in Arizona, you can find him sunbathing in Hawaii. Recognizing Mr. Allan as a senior of senior citizens and an 89 year old authority on this subject, I cannot resist sharing some wise advise he recently gave me. He said: 'Growing old is simply a case of mind over matter; if you don't mind, it doesn't matter'."

Representative Kunimura then stated:

"Mr. Speaker, perhaps this is an introduction - a prelude to one. Perhaps the members of this House have been in serious quandry for the past two weeks

why Representatives Yamada, Kawakami and myself have been in very good behavior. I want to introduce the reason why we have been. In the gallery this morning, is the wife of Representative Kawakami, Bertha, and her sister Mrs. Chu and Mrs. Chu's daughter, Lynn. Will you all rise and take a shine."

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 693 to 699) and concurrent resolutions (H.C.R. Nos. 129 and 130) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
693	Committee on Consumer Protection and Commerce
694	Committee on Consumer Protection and Commerce
695	Jointly to the Committees on Agriculture and Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Finance
696	Jointly to the Committees on Education and Higher Education
697	Committee on Labor and Public Employment
698	Committee on Health, then to the Committee on Finance
699	Committee on Health, then to the Committee on Finance

H.C.R. Nos.

129	Jointly to the Committees on Agriculture and Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Finance
130	Committee on Labor and Public Employment

COMMITTEE REASSIGNMENT

S.B. No. 1046, SD 1, was re-referred jointly to the Committees on Public Assistance and Human Services and Health, then to the Committee on Finance.

At this time, Representative Suwa rose and stated:

"In the area of Unfinished Business, I would like to rise on a point of personal privilege.

Yesterday I criticized the University Medical School as to the transfer of Leahi Hospital to the Health Department. This morning I would like to go after the Health Department, Mr. Speaker. In the interim report of the Health Committee, there is some criticism as to the status of the Health Department, administratively; likewise, in the area of Act 97, Hospital, Mr. Speaker.

It is my opinion that the budget of 1975-76, likewise, the biennium, reflects strengthening the Health Department in the area of Act 97 - like Waimano Home and within the Health Department itself. And yet, also, in the administrative area, from the non-doctor administrator to that of the administration of the Health Department, it is something we ought to look into; and here, I feel that once again goes on the empire builders of the Health Department, where the criticism has not gone away yet, in the phase of correcting; and yet, they want to take in the additional area of responsibility. Therefore, Mr. Speaker, I feel one measure is that the Health Department should exercise the budget reflected on the 1975-76 budget and to improve in the area of health services."

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 647) informing the House that House Resolution Nos. 687 to 699, House Concurrent Resolution Nos. 129 and 130, and Standing Committee Report Nos. 648 to 660, have been printed and distributed.

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

Representative Yuen, for the Committee on Education, presented a report (Stand. Com. Rep. No. 648) recommending that S.B. No. 591, SD 2, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Yuen, seconded by Representative Machida and carried, the report of the Committee was adopted and S.B. No. 591,

SD 2, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Yuen, for the Committee on Education, presented a report (Stand. Com. Rep. No. 649) recommending that S.B. No. 553, SD 1, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Yuen, seconded by Representative Machida and carried, the report of the Committee was adopted and S.B. No. 553, SD 1, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 650) recommending that H.R. No. 298 be referred jointly to the Committees on Water, Land Use, Development, and Hawaiian Homes and Agriculture.

On motion by Representative Sakima, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.R. No. 298 was referred jointly to the Committees on Water, Land Use, Development, and Hawaiian Homes and Agriculture.

Representative Takamura, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 651) recommending that S.B. No. 1405, SD 2, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Takamura, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 1405, SD 2, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Takamura, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 652) recommending that S.B. No. 360, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takamura, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 360, SD 2, passed Second Reading and was referred to the Committee on Finance.

Representative Yamada, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 653) recommending that S.B. No. 91, SD 3, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the majority of the Committee was adopted and S.B. No. 91, SD 3, as amended, passed Second Reading and was referred to the Committee on Finance.

At 12:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:37 o'clock p.m.

Representative Yuen, for the Committee on Education presented a report (Stand. Com. Rep. No. 654) recommending that H.R. No. 291, HD 1, be adopted with certain amendments.

On motion by Representative Yuen, seconded by Representative Machida and carried, the report of the Committee was adopted and H.R. No. 291, HD 1, as amended, was adopted.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 655) recommending that S.B. No. 959 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and S.B. No. 959, as amended, passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1975.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 656) recommending that S.B. No. 703 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and S.B. No. 703, as amended, passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1975.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 657) recommending that S.B. No. 165 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and S.B. No. 165, as amended, passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1975.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 658) recommending that H.R. No. 35 be adopted.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and H.R. No. 35 was adopted.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 659) recommending that H.R. No. 358 be adopted with certain amendments.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and H.R. No. 358, as amended, was adopted.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 660) recommending that S.B. No. 960, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and S.B. No. 960, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1975.

The Chair directed the Clerk to note that printed copies of S.B. No. 959, HD 1; S.B. No. 703, HD 1; S.B. No. 165, HD 1; and S.B. No. 960, SD 1, HD 1, were made available to the members at 11:30 o'clock a.m.

INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 703) commending Mr. Edward J. Pacheco for his outstanding leadership in Little League Baseball and for his service to the Palolo community was jointly offered by Representatives Morioka, Abercrombie, Ajifu, Akizaki, Blair, Cayetano, Clarke, Cobb, Hakoda, Ho, Inaba, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Lee, Lunasco, Machida, Mizuguchi, Naito, Oda, Peters, Poepoe, Roehrig, Sakima, Santos, Segawa, Shito, Soares, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Morioka, seconded by Representative Naito and carried, H.R. No. 703 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 704 to 709) and concurrent resolution (H.C.R. No. 131) were referred to the Committee on Legislative Management and further action was deferred until Thursday, March 27, 1975:

A resolution (H.R. No. 704) requesting the Governor and the Mayor of each County in the State of Hawaii to direct their contracting agencies to withhold no more than 10% of the invoice price from the payment for any materials delivered to the job site or other storage facility approved by the agency for use in a government construction project was jointly offered by Representatives Morioka, Akizaki, Cayetano, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Lee, Lunasco, Machida, Mizuguchi, Peters, Segawa, Shito, Suwa, Uechi, Ushijima, Yamada, Yap and Yuen.

A resolution (H.R. No. 705) relating to the preservation of McKinley High School was jointly offered by Representatives Blair, Clarke, Sakima, Stanley, Takamura, Akizaki, Yuen, Ajifu, Cayetano, Evans, Hakoda, Inaba, Kamalii, Kihano, Kiyabu, Machida, Morioka, Naito, Poepoe, Santos, Shito, Suwa, Takamine, Uechi and Wakatsuki.

A resolution (H.R. No. 706) requesting classification of the employees of the Legislative Reference Bureau was jointly offered by Representatives Peters, Ajifu, Akizaki, Amaral, Blair, Cayetano, Cobb, Evans, Ho, Inaba, Kihano, Kiyabu, Kunimura, Lunasco, Machida, Mizuguchi, Morioka, Naito, Oda, Sakima, Shito,

Soares Sutton, Suwa, Takamine, Takamura and Wakatsuki.

A resolution (H.R. No. 707) relating to Tilapia Mossambica was offered by Representative Abercrombie.

A resolution (H.R. No. 708) relating to preservation of Kaneohe Bay shoreline was jointly offered by Representatives Poepoe, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Carroll, Clarke, Evans, Fong, Hakoda, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Larsen, Lunasco, Oda, Peters, Sakima, Santos, Shito, Soares, Uechi, Yamada, Yuen and Wakatsuki.

A resolution (H.R. No. 709) requesting the State Department of Transportation Harbors Division to update the waiting list for small boat harbor berths was jointly offered by Representatives Larsen, Abercrombie, Ajifu, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Hakoda, Ho, Inaba, Kawakami, Kondo, Kunimura, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Poepoe, Segawa, Shito, Takamura, Uechi and Yamada.

A concurrent resolution (H.C.R. No. 131) requesting classification of the employees of the Legislative Reference Bureau was jointly offered by Representatives Peters, Ajifu, Akizaki, Amaral, Blair, Cayetano, Cobb, Evans, Ho, Inaba, Kihano, Kiyabu, Kunimura, Lunasco, Machida, Mizuguchi, Morioka, Naito, Oda, Sakima, Shito, Soares, Sutton, Suwa, Takamine, Takamura and Wakatsuki.

At 12:46 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:48 o'clock p.m.

At this time, the Chair made the following announcement:

"The Chair would like to announce that Thursday being the 50th day, will be the last day for introduction of resolutions."

ADJOURNMENT

At 12:49 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 11:00 o'clock a.m. on Thursday, March 27, 1975 in honor of our late Prince Jonah Kuhio.

FIFTIETH DAY

Thursday, March 27, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, was called to order at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Elder Everett Graffeo of the Reorganized Church of Jesus Christ of Latter-Day Saints, after which the Roll was called showing all members present with the exception of Representatives Ajifu, Clarke, Garcia, Ikeda, Inaba, Kawakami and Lee, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-Ninth Day.

On motion by Representative Kimura, seconded by Representative Soares and carried, reading of the Journal was dispensed with and the Journal of the Forty-Ninth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 185 to 188) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 185) transmitting Senate Concurrent Resolution No. 123 commending the Baha'i Faith's television programs produced in conjunction with KITV, which was adopted by the Senate on March 25, 1975, was placed on file.

On motion by Representative Kimura, seconded by Representative Soares and carried, S.C.R. No. 123 was adopted.

A communication from the Senate (Sen. Com. No. 186) returning House Concurrent Resolution No. 5 relating to proclaiming 1975 as International Women's Year, which was adopted by the Senate on March 25, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 187) returning House Concurrent Resolution No.

81, HD 1, requesting the appointment of a committee to study Hawaii's unemployment problems and make recommendations thereon, which was adopted by the Senate on March 25, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 188) returning House Concurrent Resolution No. 100 relating to Hawaiian native claims, which was adopted by the Senate on March 25, 1975, in an amended form, was placed on file.

By unanimous consent, H.C.R. No. 100, as amended by the Senate, was placed on the Clerk's desk.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 14 and 15) were read by the Clerk and were disposed of as follows:

A communication from Fred E. Trotter, Chairman, The Stadium Authority (Dept. Com. No. 14) acknowledging receipt of House Resolution No. 255, Regular Session of 1975, was placed on file.

A communication from Douglas S. Yamamura, Chancellor, University of Hawaii (Dept. Com. No. 15) acknowledging receipt of a copy of House Resolution No. 582, Regular Session of 1975, was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 24 and 25) were read by the Clerk and were disposed of as follows:

A communication from the Honorable Carl Albert, Speaker, U.S. House of Representatives (Misc. Com. No. 24) acknowledging receipt of a copy of House Concurrent Resolution No. 3, Regular Session of 1975, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 25) acknowledging receipt of a copy of House Resolution No. 122, Regular Session of 1975, was placed on file.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, the rules were suspended for the purpose of permitting members to offer resolutions.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 710 to 713) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 710) congratulating the Disabled American Veterans Convention was jointly offered by Representatives Kihano, Ajifu, Akizaki, Amaral, Carroll, Cayetano, Evans, Garcia, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kimura, Kiyabu, Kunimura, Lee, Machida, Mizuguchi, Morioka, Naito, Peters, Sakima, Santos, Segawa, Shito, Suwa, Uechi, Yamada, Yap and Wakatsuki.

On motion by Representative Kihano, seconded by Representative Shito and carried, H.R. No. 710 was adopted.

At this time, Representative Kihano introduced to the members of the House the following: Mr. Fumio Ohashi, Department Commander; Mr. Gil Jaho, National Service Officer; and Mr. Richard Oguro, 1975 National Committee Chairman.

Representative Kihano then presented each of these men a certified copy of House Resolution No. 710.

A resolution (H.R. No. 711) commemorating the Golden Anniversary of August Ahrens Elementary School was jointly offered by Representatives Shito, Kihano, Ajifu, Akizaki, Amaral, Blair, Cayetano, Clarke, Cobb, Evans, Hakoda, Ho, Inaba, Kiyabu, Kondo, Kunimura, Larsen, Lee, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Sakima, Santos, Segawa, Soares, Sutton, Suwa, Takamine, Takamura, Uechi, Yamada and Yuen.

On motion by Representative Shito, seconded by Representative Kihano and carried, H.R. No. 711 was adopted.

At this time, Representative Shito introduced to the members of the House the following: Mr. Isami Kurasaki, Principal of August Ahrens Elementary School; Mr. Aurilio Padilla, Coordinator; Student Council Officers--Miss Linda Yamada, President; Mr. Wayne Nishioka, Vice President; Miss Grace Ganio, Secretary; and Miss Februa Miyamoto, Sergeant-at-Arms.

Representative Shito then presented certified copies of House Resolution No. 711 to the aforementioned persons.

Representative Sutton then introduced Mr. Russ Karten, a former campaign manager for Mr. Robert Mathias and Mr. Richard M. Nixon, and Mrs. Karten.

Representative Kiyabu then introduced a group of Cub Scouts from Liliuokalani School and a Den Mother, Mrs. Fujimoto.

Representative Shito then introduced the Akau family from Waipahu as follows: Mrs. Diane Akau and her children, Scott, Darcey, Richard and Bradley.

At 11:24 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:03 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Ajifu, Clarke, Inaba, Kawakami and Lee.

A resolution (H.R. No. 712) congratulating Community Leadership Training for Women for outstanding community service was jointly offered by Representatives Takamura, Stanley, Naito, Evans, Kamalii, Santos, Akizaki, Cayetano, Hakoda, Ho, Kiyabu, Kunimura, Machida, Sakima, Suwa, Yap and Yuen.

On motion by Representative Takamura, seconded by Representative Stanley and carried, H.R. No. 712 was adopted.

At 12:05 o'clock p.m., on request by Representative Poepoe, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:07 o'clock p.m.

At this time, Representative Takamura

rose and stated:

"Mr. Speaker, I believe the contents of the resolution adequately explain the importance and need for this kind of a program, especially in our times today when we really want to encourage and help, I think, the women of the State of Hawaii to recognize their full potential as participatory members of our society.

At this time, it is my pleasure, first of all, to introduce some of the group leaders of the program who are seated in the gallery. There are presently 150 women engaged in this program and these women who just stood up are group leaders who work with these women.

Also, at this time, it is my pleasure to introduce to this honorable body Ms. Nancy Holmes who is the Project Coordinator of Community Leadership Training for Women at the University of Hawaii."

A certified copy of House Resolution 712 was presented to Ms. Holmes by Representative Takamura.

Representative Kunimura then rose on a point of personal privilege and stated:

"Mr. Speaker, taking into consideration the statement made by the Chairman of the Youth and Elderly Affairs Committee, Mr. Takamura, I certainly want to enter for the record that in my family, I don't feel my wife needs all this training because she makes all the big decisions--when we should send the man to the moon, foreign policy, gross national product. I only make the small decisions in the house, Mr. Speaker."

The Chair then remarked:

"I'm glad you said that you want to."

A resolution (H.R. No. 713) congratulating Abe Kaahui upon his re-election as HSTA President was jointly offered by Representatives Kunimura, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Roehrig, Sakima, Santos,

Segawa, Shito, Soares, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Kondo, seconded by Representative Santos and carried, H.R. No. 713 was adopted.

Representative Kondo, upon introducing Mr. Abe Kaahui to the members of the House stated:

"Mr. Speaker, on behalf of Representative Santos and myself, we are very proud today to introduce to you and this honorable body a West Maui product. We would like to introduce Abe Kaahui."

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 704 to 709) and concurrent resolution (H.C.R. No. 131) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
704	Committee on Finance
705	Committee on Environmental Protection, then to the Committee on Education
706	Committee on Legislative Management
707	Committee on Legislative Management
708	Committee on Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Environmental Protection
709	Committee on Energy and Transportation

H.C.R. No.

131	Committee on Legislative Management
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STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 661) informing the House that House Resolution Nos. 700 to 709, House Concurrent Resolution No. 131, and Standing Committee Report Nos. 662 to 681, have been printed

and distributed.

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

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 662) recommending that S.B. No. 717 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Akizaki, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 717, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1975.

At 12:14 o'clock p.m., on request by Representative Soares, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:16 o'clock p.m.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 663) recommending that S.B. No. 1139 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and S.B. No. 1139, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1975.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 664) recommending that S.B. No. 1140 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and S.B. No. 1140 passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1975.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 665) recommending that S.B. No. 92, SD 2, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and S.B. No. 92, SD 2, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1975.

The Chair directed the Clerk to note that printed copies of S.B. No. 717, HD 1; S.B. No. 1139, HD 1; S.B. No. 1140; and S.B. No. 92, SD 2, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Stanley, for the joint Committees on Public Assistance and Human Services and Health, presented a report (Stand. Com. Rep. No. 666) recommending that H.C.R. No. 119 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Segawa and carried, the report of the Committees was adopted and H.C.R. No. 119 was referred to the Committee on Finance.

Representative Stanley, for the joint Committees on Public Assistance and Human Services and Health, presented a report (Stand. Com. Rep. No. 667) recommending that H.R. No. 640 be referred to the Committee on Finance with certain amendments.

On motion by Representative Stanley, seconded by Representative Segawa and carried, the report of the Committees was adopted and H.R. No. 640, as amended, was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 668) recommending that H.C.R. No. 111 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.C.R. No. 111 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 669) recommending that H.R. No. 589 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.R. No. 589 was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 670) recommending that H.C.R. No. 112 be adopted.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and H.C.R. No. 112 was adopted.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 671) recommending that H.R. No. 395 be adopted with certain amendments.

On motion by Representative Sakima, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.R. No. 395, as amended, entitled: "House Resolution requesting the University of Hawaii to establish within the College of Tropical Agriculture a School of Human Resources Development", was adopted.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 672) recommending that H.R. No. 555 be adopted with certain amendments.

On motion by Representative Sakima, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.R. No. 555, as amended, was adopted.

Representative Kawakami, for the joint Committees on Water, Land Use, Development, and Hawaiian Homes, and Environmental Protection, presented a report (Stand. Com. Rep. No. 673) recommending that S.B. No. 1665, SD 2, pass Second Reading and be referred to the Committee on Judiciary with certain amendments.

On motion by Representative Kawakami, seconded by Representative Blair and carried, the report of the Committees was adopted and S.B. No. 1665, SD 2, as amended, passed Second Reading and was referred to the Committee on Judiciary.

Representative Stanley, for the joint Committees on Public Assistance and Human Services, and Health, presented a report (Stand. Com. Rep. No. 674) recommending that S.B. No. 1046, SD 1, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Stanley, seconded by Representative Segawa and carried, the report of the Committees was adopted and S.B. No. 1046, SD 1, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 675) recommending that S.B. No. 534, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 534, SD 1, passed Second Reading and was referred to the Committee on Judiciary.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 676) recommending that S.B. No. 332 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 332 passed Second Reading and was referred to the Committee on Judiciary.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 677) recommending that S.B. No. 1188 pass Second Reading and be referred to the Committee on Higher Education.

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

The House of Representatives reconvened at 12:21 o'clock p.m.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 1188 passed Second Reading and was referred to the Committee on Higher Education.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 678) recommending that S.C.R. No. 45 be adopted with certain amendments.

Representative Cayetano moved that the report of the Committee be adopted and S.C.R. No. 45, as amended, be adopted, seconded by Representative Kiyabu.

Representative Roehrig then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak in favor of the resolution.

I think that it is well that the Legislature assists the airlines in their application in this case, and I think that it sets a good precedence for our State government to cooperate in this fashion with the airlines and private industry. And, I think that it would be helpful in the future that the airlines, local airline carriers, get together with State government on a periodic basis to discuss other areas of mutual concern such as late planes on weekends; such as waiting for group tours holding a local resident up to one hour at the airport; such as airplanes which are scheduled to go to Hilo to divert to Maui after the plane takes off without telling the passengers ahead of time, and also charging local residents more for baggage in certain instances; scheduling airplanes and cancelling them when you get to the airport without prior notice. These are just some of the areas of concern. Also, the apparent scheduling very closely to each other that the State government and the local airlines have mutual concerns about it, and I think that we can work together in the future to improve the service and improve the economy of the State of Hawaii.

Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 45, as amended, was adopted, with Representative Abercrombie voting no.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 714 and 715) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 714) congratulating the Leilehua High School golf team for winning the Oahu Interscholastic Association Golf Championship was jointly offered by Representatives Lunasco, Inaba, Oda, Peters, Takamura, Yap and Wakatsuki.

On motion by Representative Lunasco, seconded by Representative Oda and carried, H.R. No. 714 was adopted.

A resolution (H.R. No. 715) commending Kevin Clark for his initiative in aiding someone in distress was jointly offered by Representatives Hakoda, Larsen, Akizaki, Cayetano, Cobb, Kamalii, Kawakami, Kiyabu, Kondo, Machida, Mizuguchi, Morioka, Naito, Shito, Soares, Suwa and Uechi.

On motion by Representative Hakoda, seconded by Representative Larsen and carried, H.R. No. 715 was adopted.

By unanimous consent, the following resolutions (H.R. No. 716 to 762) and concurrent resolutions (H.C.R. Nos. 132 to 147) were referred to the Committee on Legislative Management and further action was deferred until Monday, March 31, 1975:

A resolution (H.R. No. 716) relating to the Continuing Education of Women Program, University of Hawaii, Manoa was jointly offered by Representatives Takamura, Stanley, Naito, Evans, Kamalii, Santos, Akizaki, Cayetano, Hakoda, Ho, Kiyabu, Kunimura, Machida, Sakima, Suwa, Yap and Yuen.

A resolution (H.R. No. 717) requesting the Legislative Reference Bureau to conduct a study on the rights of minors was jointly offered by

Representatives Takamura, Akizaki, Cayetano, Hakoda, Ho, Kunimura, Machida, Sakima, Stanley, Suwa, Yap and Yuen.

A resolution (H.R. No. 718) requesting the integration of community and adult education services through the Adult Education Program of the Department of Education was jointly offered by Representatives Sakima, Kihano, Kunimura, Roehrig, Shito, Takamura, Yap and Yuen.

A resolution (H.R. No. 719) requesting an advisory study and a legislative audit of alternatives to the present structure of higher education was jointly offered by Representatives Sakima, Abercrombie, Kihano, Kunimura, Roehrig, Shito, Takamura, Yap and Yuen.

A resolution (H.R. No. 720) requesting investigation of charges for cable television use of ducts and boxes was jointly offered by Representatives Cobb, Blair, Cayetano, Inaba, Kimura, Kiyabu, Lunasco, Machida, Mizuguchi, Naito, Peters, Roehrig, Stanley, Suwa, Uechi, Ushijima, Yap and Yuen.

A resolution (H.R. No. 721) requesting the Hawaii Agricultural Experiment Branch Stations to conduct research programs and activities consistent with the needs of their primary service areas was jointly offered by Representatives Uechi, Akizaki, Clarke, Cobb, Ho, Inaba, Kawakami, Kihano, Larsen, Machida, Sakima, Shito, Stanley, Ushijima and Yuen.

A resolution (H.R. No. 722) requesting a review of the Welfare Housing Program administered by the Department of Social Services and Housing was offered by Representative Stanley.

A resolution (H.R. No. 723) requesting expeditious handling of the Fort Weaver Road project was jointly offered by Representatives Ho, Cayetano and Peters.

A resolution (H.R. No. 724) requesting audit of the Hawaiian Homes loan funds operations established pursuant to Act 4, Session Laws of Hawaii 1965 was jointly offered by Representatives Ho, Kawakami, Kimura, Peters and Yuen.

A resolution (H.R. No. 725)

requesting a report on financing school athletics programs was jointly offered by Representatives Ho, Akizaki, Cayetano, Clarke, Evans, Hakoda, Kiyabu, Kunimura, Larsen, Lunasco, Machida, Medeiros, Morioka, Peters, Sakima, Segawa, Shito, Suwa, Takamine, Takamura, Uechi and Ushijima.

A resolution (H.R. No. 726) requesting the State of Hawaii and the City and County of Honolulu to use livestock waste was jointly offered by Representatives Ho, Akizaki, Cayetano, Clarke, Evans, Hakoda, Kiyabu, Kunimura, Larsen, Lunasco, Machida, Medeiros, Morioka, Peters, Sakima, Segawa, Shito, Suwa, Takamine, Takamura, Uechi and Ushijima.

A resolution (H.R. No. 727) requesting audit of the education program established pursuant to the Hawaiian Home lands programs was jointly offered by Representatives Ho, Kawakami, Kimura, Peters and Yuen.

A resolution (H.R. No. 728) requesting a study of Chapter 84, Hawaii Revised Statutes, and recommendations to encourage persons to assume public service responsibilities was offered by Representative Takamine.

A resolution (H.R. No. 729) requesting the construction of a modern community library in Waipahu, Oahu, Hawaii was jointly offered by Representatives Shito, Kihano, Ajifu, Akizaki, Blair, Cayetano, Cobb, Hakoda, Ho, Inaba, Kiyabu, Kondo, Larsen, Morioka, Naito, Oda, Peters, Segawa, Soares, Sutton, Suwa, Takamine, Uechi and Yuen.

A resolution (H.R. No. 730) requesting the Department of Education to review the present distribution of non-formula, support staff in the school districts and justification for such distribution was jointly offered by Representatives Cayetano, Akizaki, Blair, Clarke, Cobb, Ho, Kihano, Kimura, Kiyabu, Kunimura, Mizuguchi, Naito, Poepoe, Roehrig, Sakima, Shito, Stanley, Suwa, Takamura, Ushijima, Yamada and Yap.

A resolution (H.R. No. 731) requesting the formation of a House Interim Transportation Committee to study various mass transit proposals was jointly offered by Representatives Cayetano, Blair, Carroll, Evans, Fong, Garcia, Ho, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Lee, Machida, Oda, Peters, Roehrig, Sakima, Shito, Sutton, Suwa, Yamada,

Yap and Yuen.

A resolution (H.R. No. 732) requesting the Legislative Reference Bureau to undertake a study on early retirement for teachers was jointly offered by Representatives Cayetano, Blair, Carroll, Evans, Fong, Garcia, Ho, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Lee, Machida, Oda, Peters, Roehrig, Sakima, Shito, Stanley, Sutton, Suwa, Takamura, Yamada, Yap and Yuen.

A resolution (H.R. No. 733) requesting the Department of Transportation to conduct a feasibility study of constructing runaway truck ramps on the entire Likelike Highway, (from School Street to Kamehameha Highway) was jointly offered by Representatives Cayetano, Sakima and Yap.

A resolution (H.R. No. 734) requesting a study of the concept of time sharing ownership of condominiums was offered by Representative Kondo.

A resolution (H.R. No. 735) relating to legislative space requirements was offered by Representative Ushijima.

A resolution (H.R. No. 736) requesting the Honorable Speaker of the House of Representatives to appoint an interim committee to study legislation relating to joint use of communication facilities by public utility companies, CATV companies, and others and to piracy of CATV signals was offered by Representative Ushijima.

A resolution (H.R. No. 737) requesting development of flags for the major islands of the State was jointly offered by Representatives Kiyabu, Ajifu, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kondo, Kunimura, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Naito, Peters, Roehrig, Sakima, Santos, Shito, Soares, Stanley, Suwa, Takamine, Takamura, Uechi, Yamada and Yuen.

A resolution (H.R. No. 738) relating to compulsory attendance of school children and penal sanctions against parents was jointly offered by Representatives Peters, Akizaki, Amaral, Ho, Inaba, Kawakami, Kihano, Kimura, Kiyabu, Kondo,

Kunimura, Lee, Lunasco, Machida, Morioka, Sakima and Yuen.

A resolution (H.R. No. 739) requesting the Department of Land and Natural Resources to establish a native rare tree sanctuary on certain State lands presently leased to Puuwaawaa Ranch was offered by Representative Kawakami.

A resolution (H.R. No. 740) requesting recommendations on methods to keep sugar profits in Hawaii was offered by Representative Abercrombie.

A resolution (H.R. No. 741) requesting the House Committee on Transportation conduct a study of the Legislative Auditor's report on the Harbors Division, Department of Transportation was jointly offered by Representatives Blair and Cayetano.

A resolution (H.R. No. 742) requesting an interim study on educational problems by the House Committee on Education was jointly offered by Representatives Yuen, Ajifu, Akizaki, Cayetano, Clarke, Evans, Fong, Hakoda, Inaba, Kawakami, Kimura, Lunasco, Oda, Peters, Segawa, Shito, Takamine and Takamura.

A resolution (H.R. No. 743) requesting the development of an educational standards and licensure act was jointly offered by Representatives Yuen, Ajifu, Akizaki, Cayetano, Clarke, Evans, Fong, Hakoda, Inaba, Kawakami, Kimura, Lunasco, Oda, Peters, Segawa, Shito, Takamine and Takamura.

A resolution (H.R. No. 744) requesting provision for neighbor island students to enroll in the community colleges of Oahu for study or training in fields not offered by the neighbor island community colleges was offered by Representative Sakima.

A resolution (H.R. No. 745) requesting elimination of the foreign language and language related cultural courses requirement for University of Hawaii students was offered by Representative Sakima.

A resolution (H.R. No. 746) relating to evening classes at the University of Hawaii was jointly offered by Representatives Segawa, Akizaki, Blair, Ho, Kiyabu, Kondo, Lunasco, Machida, Mizuguchi, Morioka, Naito, Sakima, Suwa, Takamura, Uechi and Yamada.

A resolution (H.R. No. 747) relating to the impact of TH-3 on land use in Windward Oahu was jointly offered by Representatives Cayetano, Abercrombie, Akizaki, Blair, Carroll, Cobb, Evans, Ho, Inaba, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Lee, Lunasco, Mizuguchi, Morioka, Naito, Peters, Roehrig, Sakima, Segawa, Stanley, Suwa, Takamine, Takamura, Uechi, Yamada and Yuen.

A resolution (H.R. No. 748) relating to plea bargaining was jointly offered by Representatives Poepoe, Ajifu, Akizaki, Amaral, Carroll, Clarke, Cobb, Evans, Fong, Hakoda, Kamalii, Kawakami, Kimura, Kunimura, Larsen, Medeiros, Mizuguchi, Morioka, Oda, Peters, Santos, Segawa, Soares, Stanley, Sutton and Yap.

A resolution (H.R. No. 749) relating to skating and skateboard riding on sidewalks was jointly offered by Representatives Fong, Hakoda, Kamalii, Medeiros, Oda, Poepoe, Santos, Soares and Sutton.

A resolution (H.R. No. 750) requesting the Marine Expo Committee of the Bicentennial Commission to construct adaptable facilities for the marine exhibit was offered by Representative Ajifu.

A resolution (H.R. No. 751) relating to joint military-civilian use of recreational facilities and lands was offered by Representative Cayetano.

A resolution (H.R. No. 752) requesting a study of the qualifications for and practice of social work was offered by Representative Yamada.

A resolution (H.R. No. 753) requesting a review of the financing system was offered by Representative Yamada.

A resolution (H.R. No. 754) requesting the Legislative Auditor to conduct a management audit of the Department of Transportation was jointly offered by Representatives Kamalii, Ajifu, Amaral, Larsen, Lee, Naito, Santos, Stanley, Takamine, Uechi and Yuen.

A resolution (H.R. No. 755) supporting the United Farm Workers Union AFL-CIO in its boycott of non-UFW grapes, mainland

head lettuce, and wines was jointly offered by Representatives Takamine, Abercrombie, Blair, Cayetano, Kimura, Mizuguchi, Naito, Roehrig, Sakima, Stanley, Takamura and Yamada.

A resolution (H.R. No. 756) requesting the City and County of Honolulu to provide assistance in the improvement of difficult-to-maintain utility strips was jointly offered by Representatives Mizuguchi, Akizaki, Cayetano, Cobb, Kamalii, Kondo, Lunasco, Sakima, Santos, Segawa, Shito, Stanley, Suwa, Takamine, Takamura and Wakatsuki.

A resolution (H.R. No. 757) requesting the Department of Education to elevate among its priorities the planning and construction of a swimming pool at Pearl City High School for school and community use was jointly offered by Representatives Mizuguchi, Akizaki, Cayetano, Cobb, Kamalii, Kondo, Lunasco, Sakima, Santos, Shito, Suwa, Takamine, Takamura and Wakatsuki.

A resolution (H.R. No. 758) requesting the Secretary of Agriculture and the Secretary of Transportation to support and assist the development of interisland air cargo transport service in Hawaii was jointly offered by Representatives Mizuguchi, Akizaki, Cayetano, Kihano, Kimura, Kiyabu, Lee, Machida, Shito, Stanley, Suwa, Ushijima and Yap.

A resolution (H.R. No. 759) requesting the Department of Personnel Services to study the working conditions of personnel in State psychiatric facilities and institutions for the mentally retarded was jointly offered by Representatives Mizuguchi, Akizaki, Cayetano, Kihano, Kimura, Kiyabu, Lee, Naito, Segawa, Shito, Stanley, Suwa, Ushijima and Yap.

A resolution (H.R. No. 760) requesting the extension of railroad tracks of the restored Waialua Agricultural Company steam locomotive railroad up to Kaena Point was jointly offered by Representatives Peters, Akizaki, Ho, Kihano, Mizuguchi, Naito, Sakima and Yuen.

A resolution (H.R. No. 761) requesting the University of Hawaii to continue to use student help funds for the purpose appropriated thereof was offered by Representative Sakima.

A resolution (H.R. No. 762) requesting the Department of Planning and

Economic Development to do a study of the second campus on Oahu was jointly offered by Representatives Ho, Cayetano, Kihano and Takamura.

A concurrent resolution (H.C.R. No. 132) requesting the Legislative Reference Bureau to conduct a study on the rights of minors was jointly offered by Representatives Takamura, Akizaki, Cayetano, Hakoda, Ho, Kunimura, Machida, Sakima, Stanley, Suwa, Yap and Yuen.

A concurrent resolution (H.C.R. No. 133) requesting the Eighth Legislature of the State of Hawaii, Regular Session of 1975, be recessed for five legislative days pursuant to Article III, Section 11, of the Constitution of the State of Hawaii was jointly offered by Representatives Cobb, Abercrombie, Cayetano, Ho, Morioka, Peters and Stanley.

A concurrent resolution (H.C.R. No. 134) requesting audit of the education program established pursuant to the Hawaiian Home lands programs was jointly offered by Representatives Ho, Kawakami, Kimura, Peters and Yuen.

A concurrent resolution (H.C.R. No. 135) requesting audit of the Hawaiian Homes loan funds operations established pursuant to Act 4, Session Laws of Hawaii 1965 was jointly offered by Representatives Ho, Kawakami, Kimura, Peters and Yuen.

A concurrent resolution (H.C.R. No. 136) requesting expeditious handling of the Fort Weaver Road project was jointly offered by Representatives Ho, Cayetano and Peters.

A concurrent resolution (H.C.R. No. 137) relating to the establishment of a joint interim committee to investigate the findings of the financial audit of the Hawaii Housing Authority and to develop recommendations for the State's housing programs was jointly offered by Representatives Shito, Akizaki, Amaral, Blair, Cayetano, Clarke, Cobb, Evans, Hakoda, Inaba, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Mizuguchi, Naito, Roehrig, Sakima, Santos, Stanley, Sutton, Suwa, Uechi, Yap and Wakatsuki.

A concurrent resolution (H.C.R. No. 138) relating to legislative space requirements was offered by Representative Ushijima.

A concurrent resolution (H.C.R. No. 139) requesting a study of the concept of time sharing ownership of condominiums was offered by Representative Kondo.

A concurrent resolution (H.C.R. No. 140) requesting recommendations on methods to keep sugar profits in Hawaii was offered by Representative Abercrombie.

A concurrent resolution (H.C.R. No. 141) requesting development of flags for the major islands of the State was jointly offered by Representatives Kiyabu, Ajifu, Akizaki, Amaral, Blair, Carroll, Cayetano, Cobb, Ho, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kondo, Kunimura, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Naito, Peters, Roehrig, Sakima, Santos, Shito, Soares, Stanley, Suwa, Takamine, Takamura, Uechi, Yamada and Yuen.

A concurrent resolution (H.C.R. No. 142) requesting the Department of Education to review the present distribution of non-formula, support staff in the school districts and justification for such distribution was jointly offered by Representatives Cayetano, Abercrombie, Ajifu, Akizaki, Blair, Clarke, Fong, Hakoda, Inaba, Kihano, Kunimura, Lunasco, Medeiros, Morioka, Naito, Oda, Peters, Roehrig, Takamura and Yap.

A concurrent resolution (H.C.R. No. 143) relating to the impact of TH-3 on land use in Windward Oahu was jointly offered by Representatives Cayetano, Abercrombie, Akizaki, Blair, Cobb, Ho, Inaba, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Lee, Lunasco, Mizuguchi, Naito, Peters, Roehrig, Sakima, Segawa, Shito, Stanley, Suwa, Takamine, Takamura, Uechi, Yamada and Yuen.

A concurrent resolution (H.C.R. No. 144) requesting elimination of the foreign language and language related cultural courses requirement for University of Hawaii students was offered by Representative Sakima.

A concurrent resolution (H.C.R. No. 145) requesting the Governor to convene a Travel Industry Congress during the interim-session period was jointly offered by Representatives Kamalii, Amaral, Carroll, Clarke, Fong, Poepoe and Soares.

A concurrent resolution (H.C.R. No. 146) supporting the United Farm Workers Union AFL-CIO in its boycott of non-UFW grapes, mainland head lettuce, and wines was jointly offered by Representatives Takamine, Abercrombie, Blair, Cayetano, Kimura, Mizuguchi, Naito, Roehrig, Sakima, Stanley, Takamura and Yamada.

A concurrent resolution (H.C.R. No. 147) requesting the Department of Planning and Economic Development to do a study of the second campus on Oahu was jointly offered by Representatives Ho, Cayetano, Kihano and Takamura.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, 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:

S.B. No. 959

On motion by Representative Yamada, seconded by Representative Yap, S.B. No. 959 passed Third Reading by a vote of 49 ayes, with Representatives Garcia and Ikeda being excused.

S.B. No. 703

On motion by Representative Yamada, seconded by Representative Yap and carried, S.B. No. 703, HD 1, was recommitted to the Committee on Consumer Protection and Commerce.

At 12:25 o'clock p.m., on request by Representative Cobb, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:26 o'clock p.m.

S.B. No. 165

Representative Yamada moved that S.B. No. 165, having been

read throughout, pass Third Reading, seconded by Representative Yap.

Representative Cobb then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise briefly to speak against this measure on the principle that anytime there is not an equal or majority number of public members on a board or commission, I would intend to vote against.

I noticed that since we are dealing with Senate bills as well, that over two-thirds of all Senate bills that we get--in fact, almost 85 percent--are in some way related to business or other particular interests in the business community. While I don't decry this, I do note the lack of human concern in Senate bills, this being just one of many that we have considered in the last few days.

I also take note of the fact that the Senate permits lobbyists on the floor but not Representatives, so I can see who is more important over there. In judging on the product of their legislation, I can understand somewhat of the process. But, just on the matter of principle, Mr. Speaker, I think any board or commission that we structure in the future, regardless of the limited number of membership, should have an equal number or majority of public members.

For that reason, I wish to cast a 'no' vote on this bill."

The motion was put by the Chair, and S.B. No. 165 passed Third Reading by a vote of 48 ayes to 1 no, with Representative Cobb voting no, and Representatives Garcia and Ikeda being excused.

S.B. No. 960

On motion by Representative Yamada, seconded by Representative Yap, S.B. No. 960 passed Third Reading by a vote of 49 ayes, with Representatives Garcia and Ikeda being excused.

The Chair directed the Clerk to note that S.B. No. 959 had passed Third Reading at 12:25 o'clock p.m.; S.B. No. 165 at 12:27 o'clock p.m.; and S.B. No. 960 at 12:28 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Blair, for the joint Committees on Environmental Protection, and Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 679) recommending that S.B. No. 42, SD 2, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Blair, seconded by Representative Kawakami and carried, the report of the Committees was adopted and S.B. No. 42, SD 2, as amended, entitled: "A Bill for an Act relating to coastal zone management", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1975.

Representative Yamada, for the majority of the joint Committees on Consumer Protection and Commerce, and Judiciary, presented a report (Stand. Com. Rep. No. 680) recommending that S.B. No. 1556 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yamada, seconded by Representative Roehrig and carried, the report of the majority of the Committees was adopted and S.B. No. 1556, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1975.

The Chair directed the Clerk to note that printed copies of S.B. No. 42, SD 2, HD 1 and S.B. No. 1556, HD 1, were made available to the members of the House at 12:03 o'clock p.m.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 681) recommending that S.B. No. 1458 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 1458 passed Second Reading and was referred to the Committee on Finance.

At this time, the Chair made the following announcement:

"The Chair has two announcements to all Committee chairmen and Committee members. To avoid the logjam, get your hearings and decision making as soon as possible. The other, this being the Fiftieth Day, resolutions will be accepted on the Clerk's desk up until 4:00 o'clock p.m. today."

ADJOURNMENT

At 12:35 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 11:00 o'clock a.m. on Monday, March 31, 1975.

FIFTY-FIRST DAY

Monday, March 31, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, was called to order at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Curtis Zimmerman of Saint Andrew's Cathedral, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Blair, Carroll, Kawakami, Lee, Peters, Roehrig, Takamine and Takamura, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fiftieth Day.

On motion by Representative Kimura, seconded by Representative Soares and carried, reading of the Journal was dispensed with and the Journal of the Fiftieth Day was approved.

GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 70) acknowledging receipt of a certified copy of House Resolution No. 156, Regular Session of 1975, was read by the Clerk and was placed on file.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 16 and 17) were read by the Clerk and were disposed of as follows:

A communication from Richard E. Ando, M.D., Chairman, Board of Education (Dept. Com. No. 16) acknowledging receipt of a certified copy of House Resolution No. 596, Regular Session of 1975, was placed on file.

A communication from Richard E. Ando, M.D., Chairman, Board of Education (Dept. Com. No. 17) acknowledging receipt of House Resolution Nos. 68 and 301, Regular Session of 1975, was placed on file.

MISCELLANEOUS COMMUNICATION

A communication from Gorman C. Smith, Acting Assistant Administrator of Regulatory Programs, Federal Energy Administration (Misc. Com. No. 26) acknowledging receipt of a certified copy of House Resolution No. 232, Regular Session of 1975, was read by the Clerk and was placed on file.

At this time, the Chair directed the Clerk to note the presence of Representatives Abercrombie, Blair, Carroll, Kawakami, Lee, Peters, Takamine and Takamura.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, the rules were suspended for the purpose of permitting members to offer resolutions.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 763 and 764) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 763) commending the Waianae Theater Workshop for their fine services in bringing various theater productions to the community and the schools was jointly offered by Representatives Ho, Akizaki, Blair, Evans, Hakoda, Kamalii, Kimura, Kiyabu, Larsen, Lee, Machida, Naito, Oda, Peters, Santos, Segawa, Takamine, Takamura, Uechi, Yamada and Yuen.

On motion by Representative Ho, seconded by Representative Abercrombie and carried, H.R. No. 763 was adopted.

At this time, Representative Ho rose and stated:

"Mr. Speaker, I would like to say a few words on behalf of that. We are fortunate today and saddened today also, for the founders, Mr. and Mrs. Ross, will be leaving us tomorrow and we would like to say that you will not go empty-handed, for the Waianae Coast has really

appreciated what you have done for them and this is just to show a small appreciation for the many long hours and months that you have taken from your time and your Board of Directors in presenting plays and performances for the Waianae Coast."

Representative Ho then presented certified copies of House Resolution No. 763 to Mr. Alex Ross and Mrs. Tinka Ross.

A resolution (H.R. No. 764) commending Tom Dancer for outstanding public service was jointly offered by Representatives Sutton, Abercrombie, Ajifu, Carroll, Clarke, Fong, Hakoda, Ikeda, Kunimura, Larsen, Medeiros, Oda, Santos and Soares.

On motion by Representative Sutton, seconded by Representative Soares and carried, H.R. No. 764 was adopted.

At this time, Representative Sutton presented a certified copy of House Resolution No. 764 to Mr. Dancer.

The following introductions were then made to the members of the House:

Representative Naito introduced 40 Senior Citizens from Windsor, Ontario, Canada, and their President, Mrs. Muriel Kirk. They were accompanied by Mr. Falinga Faufata who is the President of Hui O Paki, the Senior Citizens Club of Kapahulu.

Representative Yap then introduced Mrs. Doris Correa, Mrs. Margaret Decot, Mrs. Florence Sato and Mrs. Augusta Ornellas. They are members of the Anuenue Club, a branch of the University of Hawaii Extension Service Club.

Representative Carroll then introduced Ms. Audrey Anderson, former President of the Waikiki Residents' Association.

At 11:14 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:15 o'clock p.m., Representative Carroll introduced to the members of the House Mr. Neil Travis, Bureau Chief of News International which is a Sydney-based news gathering

organization, and Mrs. Maggie Travis. They are enroute to their new home in New York. Accompanying Mr. and Mrs. Travis was Mr. Andy Homer, a pilot for Hawaiian Air.

Representative Sutton then introduced Mr. Richard Kimball, a former member of the House of Representatives, State of Hawaii.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 716 to 762) and concurrent resolutions (H.C.R. Nos. 132 to 147) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
716	Committee on Higher Education
717	Committee on Youth and Elderly Affairs
718	Committee on Education
719	Committee on Higher Education
720	Committee on Consumer Protection and Commerce
721	Committee on Agriculture, then to the Committee on Higher Education
722	Committee on Public Assistance and Human Services
723	Committee on Energy and Transportation
724	Committee on Water, Land Use, Development, and Hawaiian Homes
725	Committee on Education
726	Committee on Agriculture
727	Committee on Education, then to the Committee on Water, Land Use, Development, and Hawaiian Homes
728	Committee on Judiciary
729	Committee on Education, then to the Committee on Finance
730	Committee on Education
731	Committee on Energy and Transportation
732	Committee on Education

733	Committee on Energy and Transportation	755	Committee on Labor and Public Employment
734	Committee on Consumer Protection and Commerce	756	Committee on Energy and Transportation
735	Committee on Legislative Management	757	Committee on Education
736	Committee on Consumer Protection and Commerce	758	Committee on Agriculture, then to the Committee on Energy and Transportation
737	Committee on Culture and the Arts	759	Committee on Labor and Public Employment
738	Committee on Education, then to the Committee on Judiciary	760	Committee on Culture and the Arts, then to the Committee on Finance
739	Committee on Water, Land Use, Development, and Hawaiian Homes	761	Committee on Higher Education, then to the Committee on Finance
740	Committee on Agriculture, then to the Committee on Finance	762	Committee on Higher Education, then to the Committee on Finance
741	Committee on Energy and Transportation		<u>H.C.R. Nos.</u>
742	Committee on Education	132	Committee on Youth and Elderly Affairs
743	Committee on Education	133	Committee on Legislative Management
744	Committee on Higher Education	134	Committee on Education, then to the Committee on Water, Land Use, Development, and Hawaiian Homes
745	Committee on Higher Education	135	Committee on Water, Land Use, Development, and Hawaiian Homes
746	Committee on Higher Education	136	Committee on Energy and Transportation
747	Jointly to the Committees on Water, Land Use, Development, and Hawaiian Homes and Agriculture	137	Committee on Housing
748	Committee on Judiciary	138	Committee on Legislative Management
749	Committee on Water, Land Use, Development, and Hawaiian Homes	139	Committee on Consumer Protection and Commerce
750	Committee on Water, Land Use, Development, and Hawaiian Homes, then to the Committee on Culture and the Arts, then to the Committee on Finance	140	Committee on Agriculture, then to the Committee on Finance
751	Committee on Water, Land Use, Development, and Hawaiian Homes	141	Committee on Culture and the Arts
752	Committee on Consumer Protection and Commerce	142	Committee on Education
753	Committee on Consumer Protection and Commerce	143	Jointly to the Committees on Water, Land Use, Development, and Hawaiian Homes and Agriculture
754	Committee on Energy and Transportation		

- 144 Committee on Higher Education
 145 Committee on Tourism
 146 Committee on Labor and Public Employment
 147 Committee on Higher Education, then to the Committee on Finance

At 12:18 o'clock p.m., on request by Representative Soares, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:19 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 684) recommending that S.B. No. 1145 pass Second Reading and be placed on the calendar for Third 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. 1145, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 685) recommending that S.B. No. 1560, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and S.B. No. 1560, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Yamada, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 686) recommending that S.B. No. 1050, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the majority of the Committee was adopted and S.B. No. 1050, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 687) recommending that S.B. No. 1669, SD 1, pass Second Reading and be placed on the calendar for Third Reading with

COMMITTEE REASSIGNMENTS

The following Senate bills (S.B. Nos. 228 and 330) and resolution (H.R. No. 679) were re-referred as follows:

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
228	Committee on Labor and Public Employment, then to the Committee on Finance

330 Committee on Judiciary

H.R. No.

679 Committee on Agriculture

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 682) informing the House that House Resolution Nos. 710 to 762, House Concurrent Resolution Nos. 132 to 147, and Standing Committee Report Nos. 683 to 706, have been printed and distributed.

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

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 683) recommending that S.B. No. 182, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 182, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

certain amendments.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 1669, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975, with Representative Abercrombie voting no.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 688) recommending that S.B. No. 1214, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 1214, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 689) recommending that S.B. No. 1192, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.B. No. 1192, SD 1, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975, with Representative Cobb voting no.

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

The House of Representatives reconvened at 12:22 o'clock p.m.

Representative Blair, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 690) recommending that S.B. No. 106, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Kondo and carried, the report

of the Committee was adopted and S.B. No. 106, SD 1, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

The Chair directed the Clerk to note that printed copies of S.B. No. 182, SD 1, HD 1; S.B. No. 1145, HD 1; S.B. No. 1560, SD 1, HD 1; S.B. No. 1050, SD 1, HD 1; S.B. No. 1669, SD 1, HD 1; S.B. No. 1214, SD 1, HD 1; S.B. No. 1192, SD 1; and S.B. No. 106, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Blair, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 691) recommending that S.B. No. 1332, SD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 691 on S.B. No. 1332, SD 1, was deferred until tomorrow, April 1, 1975, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1332, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 692) recommending that S.B. No. 1682 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 1682 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 693) recommending that S.B. No. 1618 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 1618 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 694) recommending that S.B. No. 1656 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 1656 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

The Chair directed the Clerk to note that printed copies of S.B. No. 1682; S.B. No. 1618; and S.B. No. 1656 were made available to the members of the House at 11:00 o'clock a.m.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 695) recommending that S.B. No. 75, SD 1, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 75, SD 1, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 696) recommending that S.B. No. 1281, SD 2, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 1281, SD 2, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 697) recommending that H.C.R. No. 83 be adopted with certain amendments.

On motion by Representative Shito, seconded by Representative Cayetano and carried, the report of the Committee was adopted and H.C.R. No. 83, as amended, was adopted.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 698) recommending that H.R. No. 682 be referred to the Committee on Finance.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and H.R. No. 682 was referred to the Committee on Finance.

Representative Lee, for the majority of the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 699) recommending that S.B. No. 228 pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the majority of the Committee was adopted and S.B. No. 228, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 700) recommending that S.B. No. 115, SD 2, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 115, SD 2, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 701) recommending that S.B. No. 1326, SD 2, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 1326, SD 2, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 702) recommending that S.B. No. 637, SD 1, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 637, SD 1, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 703) recommending that S.B. No. 846, SD 1, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 846, SD 1, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 704) recommending that S.B. No. 142 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 142 passed Second Reading and was referred to the Committee on Finance.

Representative Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 705) recommending that S.B. No. 607, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yamada, seconded by Representative Yap and carried, the report of the Committee was adopted and S.B. No. 607, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

The Chair directed the Clerk to note that printed copies of S.B. No. 607, SD 1, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No.

706) recommending that S.B. No. 535 pass Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 706 on S.B. No. 535, as amended, was deferred until tomorrow, April 1, 1975, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 535, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 765 to 767) and concurrent resolution (H.C.R. No. 148) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 765) extending congratulations and appreciation for contributions toward improving Hawaii's environment was jointly offered by Representatives Ajifu, Abercrombie, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Roehrig, Sakima, Santos, Segawa, Shito, Stanley, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Ajifu, seconded by Representative Kawakami and carried, H.R. No. 765 was adopted.

A resolution (H.R. No. 766) extending best wishes for a speedy recovery to Mrs. Amy Richardson was jointly offered by Representatives Wakatsuki, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Cayetano, Cobb, Fong, Garcia, Hakoda, Ho, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Peters, Poepoe, Roehrig, Sakima, Santos, Segawa, Shito, Soares, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap and Yuen.

On motion by Representative Kimura, seconded by Representative Yamada and carried, H.R. No. 766 was adopted.

A resolution (H.R. No. 767) congratulating the Saint Andrew's Priory

Junior Varsity Tennis Team for earning the Class-A Championship for 1975 in the Interscholastic League of Honolulu was jointly offered by Representatives Kimura, Abercrombie, Ajifu, Akizaki, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Hakoda, Ho, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Roehrig, Sakima, Santos, Segawa, Shito, Soares, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap and Yuen.

On motion by Representative Kimura, seconded by Representative Shito and carried, H.R. No. 767 was adopted.

A concurrent resolution (H.C.R. No. 148) extending congratulations and appreciation for contributions toward improving Hawaii's environment was jointly offered by Representatives Ajifu, Abercrombie, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Hakoda, Ho, Inaba, Kamalii, Kihano, Kimura, Kunimura, Larsen, Mizuguchi, Morioka, Naito, Oda, Peters, Roehrig, Santos, Segawa, Shito, Stanley, Suwa, Takamine, Takamura, Uechi, Ushijima, Yuen and Wakatsuki.

On motion by Representative Ajifu, seconded by Representative Morioka and carried, H.C.R. No. 148 was adopted.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, 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:

S.B. No. 717

On motion by Representative Akizaki, seconded by Representative Suwa, S.B. No. 717 passed Third Reading by a vote of 50 ayes, with Representative Sakima being excused.

S.B. No. 1139

On motion by Representative Yamada, seconded by Representative Yap, S.B. No. 1139 passed Third Reading by a vote of 50 ayes, with Representative Sakima being excused.

S.B. No. 1140

On motion by Representative Yamada, seconded by Representative Yap, S.B. No. 1140 passed Third Reading by a vote of 50 ayes, with Representative Sakima being excused.

S.B. No. 92

On motion by Representative Yamada, seconded by Representative Yap, S.B. No. 92 passed Third Reading by a vote of 44 ayes to 6 noes, with Representatives Ajifu, Amaral, Clarke, Hakoda, Larsen and Sutton voting no, and Representative Sakima being excused.

S.B. No. 42

Representative Blair moved that action on S.B. No. 42 be deferred until later in the calendar and the Chair, noting that there were no objections, so ordered.

S.B. No. 1556

On motion by Representative Yamada, seconded by Representative Roehrig, S.B. No. 1556 passed Third Reading by a vote of 50 ayes, with Representative Sakima being excused.

The Chair directed the Clerk to note that S.B. Nos. 717 and 1139 had passed Third Reading at 12: 27 o'clock p.m.; S.B. No. 1140 at 12: 28 o'clock p.m. and S.B. Nos. 92 and 1556 at 12: 29 o'clock p.m.

At 12: 29 o'clock p.m., on request by Representative Roehrig, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12: 32 o'clock p.m.

DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK

By unanimous consent, H.C.R. No. 100, as amended by the Senate, was taken from the Clerk's desk.

Representative Roehrig moved that the House agree to the amendments proposed by the Senate to H.C.R.

No. 100 and H.C.R. No. 100 be adopted, seconded by Representative Uechi.

Representative Roehrig then explained the amendments made by the Senate:

"Mr. Speaker, just to make it clear for the House members what was added. On page 6, the Senate added the words 'is said to have' after the word 'investigation' and before the word 'admitted' so that the first phrase would read: 'United States President Grover Cleveland, after an official investigation, is said to have admitted that the sovereign government of the Hawaiian Islands was overthrown. . .' and so forth. That's the only change--'is said to have'--which does not do any violence to the substance or intent of the resolution."

Representative Peters then rose and remarked:

"As the introducer of the resolution, I have no objections. I suspect that it may be devoid of political implications and I am sick and tired of playing happy word games."

At 12: 35 o'clock p.m., on request by Representative Soares, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12: 36 o'clock p.m.

On motion by Representative Peters, seconded by Representative Ho and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 100 and H.C.R. No. 100, as amended, was Finally adopted.

At 12: 35 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares 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: 54 o'clock p.m.

DEFERRED MATTER FROM EARLIER ON THE CALENDAR

S.B. No. 42 on Third Reading:

Representative Blair moved that S.B. No. 42, having been read through-out, pass Third Reading, seconded by Representative Kawakami.

Representative Blair then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, I rise to speak in favor of the bill. I won't repeat the comments I made about House Bill 92. All the good ideas in that bill are incorporated in the Senate version and I don't want to be redundant.

However, Mr. Speaker, a concern was raised in Committee that the definition of shoreline for the purposes of this bill might be construed to have an effect on the determination of property interests. Mr. Speaker, this is not the intent. We are only indicating to the authority herein the point from which the 100 yards begin.

Mr. Speaker, the court in County of Hawaii vs. Sotomura stated: 'Public policy; as interpreted by this court, favors extending to public use and ownership as much of Hawaii's shoreline as is reasonably possible.' Your Committee agrees with that public policy and nothing within this bill will change that.

Thank you, Mr. Speaker."

Representative Sutton then rose and upon being recognized by the Chair, stated:

"I rise to speak against this bill.

Mr. Speaker, I love Hawaii. I love these beautiful islands. We are the only State, Mr. Speaker, in the entire union which is composed of islands. We are an archipelago State. Our shoreline is one of our most magnificent resources.

I feel that this bill is highly inadequate. If the State of California which has a shoreline with only a few beaches can go to the extent of protecting their shoreline in total by a thousand yards, I do not see, Mr. Speaker, why we pass a bill where we talk only of a hundred yards. Mr. Speaker, this bill does not address itself to the problem. The problem is that if we lose our shorelines, they are forever gone. I ask you, Mr. Speaker, to come around this island with me for a brief trip. I ask you to look at Punaluu--look at Punaluu and look at those high rises there.

We do not accomplish the purpose, Mr. Speaker, of preserving our shorelines. Our reefs, our fishponds, everything that goes out beyond the sea, is not covered by this bill. The United States Congress itself passed an Act, hoping that we, the State of Hawaii, and other states that border on the ocean, pick up the ball and run with it. We're not picking the ball and running with it. Mr. Speaker, I say we're fumbling the ball.

Thank you."

Representative Blair again rose and stated:

"Mr. Speaker, I see that I should make a further clarification for the interest of those who are not fully familiar with the bill. The one hundred yards is not the limit. That is simply the mandatory minimum. The option is that the counties go as far beyond that as they deem desirable."

Representative Cobb then rose and stated:

"Mr. Speaker, I rise to speak in favor of Senate Bill 42, SD 2, HD 1. In doing so, I take cognizance of the remarks of the Representative from the 15th District since I was one of the signators of the original bill calling for a thousand yards.

The point that has been missed, at least in discussion on the floor, that was considered by both your Committee on Environmental Protection and your Committee on Water, Land Use, Development--this was an interim measure designed solely as a means of interim protection until such time as a Federal Coastal Zone Management Plan is implemented. Even the original bill, House Bill 257, on this subject, contained within it a 'drop dead' clause. That bill and all of the commissions that went with it would cease to exist automatically upon the implementation of the Federal Coastal Zone Management Plan. This is something that is a little more permanent. This is something that is going to provide a minimum protection on an interim basis until such time as each of our counties and our Department of Economic Development can come up with the permanent long-range planning.

For these reasons, I think this measure is worthy of support."

At 7:59 o'clock p.m., on request by Representative Garcia, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:02 o'clock p.m.

The motion to pass S.B. No. 42 on Third Reading was put by the Chair, and S.B. No. 42 passed Third Reading by a vote of 47 ayes to 1 no, with Representative Sutton voting no, and Representatives Ikeda, Lunasco and Roehrig being excused.

The Chair directed the Clerk to note that S.B. No. 42 had passed Third Reading at 8:02 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 707) recommending that S.B. No. 1323, SD 1, pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Shito, seconded by Representative Cayetano and carried, the report of the Committee was adopted and S.B. No. 1323, SD 1, as amended, passed Second Reading and was referred to the Committee on Finance.

At 8:04 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:53 o'clock p.m.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 708) recommending that S.B. No. 1215, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 1215, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 709) recommending that S.B. No. 1628, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Segawa, seconded by Representative Naito and carried, the report of the Committee was adopted and S.B. No. 1628, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 710) recommending that S.B. No. 1281, SD 2, pass Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 710 on S.B. No. 1281, SD 2, as amended, was deferred until tomorrow, April 1, 1975, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1281, SD 2, HD 2, were made available to the members of the House at 6:45 o'clock p.m.

The Chair then directed the Clerk to note that printed copies of S.B. No. 1215, SD 1, HD 1 and S.B. No. 1628, SD 1, HD 1, were made available to the members of the House at 6:45 o'clock p.m.

Representative Roehrig, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 711) recommending that S.B. No. 608, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the majority of the Committee was adopted and S.B. No. 608, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Roehrig, for the majority of the Committee on Judiciary, presented a report

(Stand. Com. Rep. No. 712) recommending that S.B. No. 512, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the majority of the Committee was adopted and S.B. No. 512, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 713) recommending that S.B. No. 950, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 950, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 714) recommending that S.B. No. 830 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 830, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 715) recommending that S.B. No. 330 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 330, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

The Chair directed the Clerk to note that printed copies of S.B. No. 608, SD 1, HD 1; S.B. No.

512, SD 1, HD 1; S.B. No. 950, SD 1, HD 1; S.B. No. 830, HD 1; and S.B. No. 330, HD 1, were made available to the members of the House at 7:30 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 716) recommending that S.B. No. 1645, SD 1, pass Second Reading and be placed on the calendar for Third 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. 1645, SD 1, as amended, entitled: "A Bill for an Act making appropriations for salaries and other adjustments, including cost items of collective bargaining agreements covering public employees and officers", passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975, with Representative Sutton voting no.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 717) recommending that S.B. No. 1159 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 1159 passed Second

Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 718) recommending that S.B. No. 1303 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 1303 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 1, 1975.

The Chair directed the Clerk to note that printed copies of S.B. No. 1645, SD 1, HD 1; S.B. No. 1159 and S.B. No. 1303 were made available to the members of the House at 8:10 o'clock p.m.

At 10:02 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:04 o'clock p.m.

ADJOURNMENT

At 10:05 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, Tuesday, April 1, 1975.

FIFTY-SECOND DAY

Tuesday, April 1, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, was called to order at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Paul Versleuse of the Faith Baptist Church, after which the Roll was called showing all members present with the exception of Representatives Abercrombie and Yamada, who were excused.

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

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

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 27 to 30) were read by the Clerk and were disposed of as follows:

A communication from H. Spofford Canfield, Administrative Assistant to the President of the U.S. Senate (Misc. Com. No. 27) acknowledging receipt of House Concurrent Resolution No. 3, was placed on file.

A communication from the Honorable Patsy T. Mink, Member of Congress (Misc. Com. No. 28) acknowledging receipt of House Resolution No. 214, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 29) acknowledging receipt of House Resolution No. 182, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 30) acknowledging receipt of House Concurrent Resolution No. 30, was placed on file.

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

Representative Sutton introduced Mr. and Mrs. Clerenger from Whittier, California. Mr. Clerenger was a classmate of former President Nixon.

Representative Cobb introduced 45 7th grade students from Kaimuki Intermediate School who were accompanied by their teacher, Mrs. Jane Hong.

Representative Ikeda then introduced 52 fifth and sixth grade students from Kamiloiki School and their teachers, Ms. Carleen Toda and Mr. Otto Watters.

At 11:10 o'clock a.m., on request by Representative Soares, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:15 o'clock a.m., the Chair directed the Clerk to note the presence of Representative Abercrombie.

ORDER OF THE DAY

UNFINISHED BUSINESS

By unanimous consent, action on Stand. Com. Rep. No. 691 on S.B. No. 1332, SD 1, and Stand. Com. Rep. No. 706 on S.B. No. 535, HD 1, was deferred to the end of the calendar.

At 11:15 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:30 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Yamada.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 719) informing the House that House Resolution Nos. 763 to 767, House Concurrent Resolution No. 148, Standing Committee Report Nos. 707 to 718, and Standing Committee Report Nos. 720 to 736, have been printed and distributed.

On motion by Representative Akizaki, seconded by Representative Kiyabu and carried, the report of the Commit-

tee was adopted.

Representative Roehrig, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 720) recommending that S.B. No. 516, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the majority of the Committee was adopted and S.B. No. 516, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 2, 1975.

Representative Roehrig, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 721) recommending that S.B. No. 1212, SD 1 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 1212, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 2, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 722) recommending that S.B. No. 1304 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 1304 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 2, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 723) recommending that S.B. No. 443 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 443 passed Second Reading and was placed on the

calendar for Third Reading tomorrow, April 2, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 724) recommending that S.B. No. 327, SD 2 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 327, SD 2 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 2, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 725) recommending that S.B. No. 1469, SD 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 1469, SD 1 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 2, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 726) recommending that S.B. No. 1133, SD 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 1133, SD 1 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 2, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 727) recommending that S.B. No. 527 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 527 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 2, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No.

728) recommending that S.B. No. 1158 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 1158 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 2, 1975.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 729) recommending that S.B. No. 977, SD 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and S.B. No. 977, SD 1 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 2, 1975.

Representative Stanley, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 730) recommending that H.C.R. No. 121 be adopted with certain amendments.

On motion by Representative Stanley, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.C.R. No. 121, as amended, was adopted.

Representative Stanley, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 731) recommending that H.C.R. No. 122 be adopted with certain amendments.

On motion by Representative Stanley, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.C.R. No. 122, as amended, was adopted.

Representative Stanley, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 732) recommending that H.C.R. No. 118 be adopted with certain amendments.

On motion by Representative

Stanley, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.C.R. No. 118, as amended, was adopted.

At 12:32 o'clock p.m., on request by Representative Abercrombie, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 733) recommending that H.C.R. No. 60 be adopted.

Representative Uechi moved that the report of the Committee be adopted and that H.C.R. No. 60 be adopted, seconded by Representative Inaba.

Representative Abercrombie then rose and stated:

"Mr. Speaker, in relation to H.C.R. No. 60, I signed with reservations, and upon examining my thoughts on it, I cannot bring myself to vote for it. When the sugar companies start paying their fair share of taxes, then I'll start worrying about the sugar companies and the Sugar Act."

The motion was put by the Chair and carried and the report of the Committee was adopted and H.C.R. No. 60 was adopted, with Representative Abercrombie voting no.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 734) recommending that H.C.R. No. 93 be adopted.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.C.R. No. 93 was adopted.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 735) recommending that H.C.R. No. 124 be adopted.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the Committee was adopted and H.C.R. No. 124 was adopted.

Representative Cayetano, for the Committee on Energy and Transport-

ation, presented a report (Stand. Com. Rep. No. 736) recommending that H.C.R. No. 21 be adopted with certain amendments.

On motion by Representative Cayetano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.C.R. No. 21, as amended, was adopted.

The Chair directed the Clerk to note that printed copies of S.B. No. 516, SD 1, HD 1; S.B. No. 1212, SD 1, HD 1; S.B. No. 1304; S.B. No. 443; S.B. No. 327, SD 2; S.B. No. 1469, SD 1; S.B. No. 1133, SD 1; S.B. No. 527; S.B. No. 1158; and S.B. No. 977, SD 1 were made available to the members of the House at 11:00 o'clock a.m.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 768) congratulating Josephine and Joseph Chansky for their contribution to the world of children was jointly offered by Representatives Yap, Sakima, Kunimura, Akizaki, Cayetano, Ho, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Machida, Mizuguchi, Morioka, Naito, Oda, Peters, Shito, Suwa and Yamada.

On motion by Representative Yap, seconded by Representative Sakima and carried, H.R. No. 768 was adopted.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, 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:

S.B. No. 182, SD 1, HD 1

On motion by Representative Lee, seconded by Representative Takamine, S.B. No. 182, SD 1, HD 1 passed Third Reading by a vote of 51 ayes.

S.B. No. 1145, HD 1

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 1145, HD 1 passed Third Reading by a vote of 51 ayes.

S.B. No. 1560, SD 1, HD 1

On motion by Representative Yamada, seconded by Representative Yap, S.B. No. 1560, SD 1, HD 1 passed Third Reading by a vote of 50 ayes to 1 no, with Representative Sutton voting no.

S.B. No. 1050, SD 1, HD 1

On motion by Representative Yamada, seconded by Representative Yap, S.B. No. 1050, SD 1, HD 1 passed Third Reading by a vote of 51 ayes.

S.B. No. 1669, SD 1, HD 1

Representative Cayetano moved that S.B. No. 1669, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

At this time, Representative Abercrombie rose to speak against the bill, stating:

"Mr. Speaker, I'm gonna have to have a no vote recorded on this. I think if the public and the members of this House will recall, just in the last few days, it appears that oil oligarchy in this country and in other areas have been defrauding the public; the estimation now by the Customs Department is that it's possibly from \$1-3 billion in overcharge, if not, in other kinds of criminal activity. There is presently now before a Federal Energy Administration more than 400 cases involving fraud in the oil. This bill will allow the governor to declare an emergency under provisions which constitute, and are well defined in the bill, as to what constitutes a shortage. But it does not give the governor neither the opportunity, nor does it compel him to try to get together with other people to find out whether fraud is being perpetrated in the enunciation of a shortage; and for that reason, I have to oppose it. It gives much too much power to the governor in times of what may be called a shortage, without asking the governor, nor requiring the governor to take any steps to find out whether in fact, the shortage exists. I don't like the idea of an end-run marshal law, in effect, being put into this State nor in any

other State in the United States."

The motion to pass S.B. No. 1669, SD 1, HD 1 on Third Reading was put by the Chair and carried by a vote of 50 ayes to 1 no, with Representative Abercrombie voting no.

S.B. No. 1214, SD 1, HD 1

On motion by Representative Cayetano, seconded by Representative Kiyabu, S.B. No. 1214, SD 1, HD 1 passed Third Reading by a vote of 51 ayes.

S.B. No. 1192, SD 1

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 1192, SD 1 passed Third Reading by a vote of 51 ayes.

S.B. No. 106, SD 1

On motion by Representative Blair, seconded by Representative Kondo, S.B. No. 106, SD 1 passed Third Reading by a vote of 51 ayes.

S.B. No. 1682

On motion by Representative Cayetano, seconded by Representative Kiyabu, S.B. No. 1682 passed Third Reading by a vote of 51 ayes.

S.B. No. 1618

On motion by Representative Cayetano, seconded by Representative Kiyabu, S.B. No. 1618 passed Third Reading by a vote of 51 ayes.

S.B. No. 1656

On motion by Representative Lee, seconded by Representative Takamine, S.B. No. 1656 passed Third Reading by a vote of 51 ayes.

S.B. No. 607, SD 1, HD 1

On motion by Representative Yamada, seconded by Representative Yap, S.B. No. 607, SD 1, HD 1 passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 182 and 1145 had passed Third Reading at 12:36 o'clock p.m.; S.B. Nos. 1560 and 1050 at 12:37 o'clock

p.m.; S.B. No. 1669 at 12:39 o'clock p.m.; S.B. Nos. 1214, 1192, 106 and 1682 at 12:40 o'clock p.m.; S.B. Nos. 1618 and 1656 at 12:41 o'clock p.m.; and S.B. No. 607 at 12:42 o'clock p.m.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 691 on S.B. No. 1332, SD 1 (Deferred from March 31, 1975):

On motion by Representative Blair, seconded by Representative Kondo and carried, the report of the Committee was adopted and S.B. No. 1332, SD 1, having been read throughout, passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives Carroll, Evans, Kamalii, Soares and Sutton voting no.

Stand. Com. Rep. No. 706 on S.B. No. 535, HD 1 (Deferred from March 31, 1975):

Representative Suwa moved that Stand. Com. Rep. No. 706 be adopted and S.B. No. 535, as amended, pass Third Reading, seconded by Representative Akizaki.

Representative Ajifu then offered the following amendment:

"SECTION 1. Senate Bill 535, House Draft 1, is amended by redesignating Part IX, and Sections 94 through 96 accordingly, and by adding two new parts to read as follows:

'PART IX

SECTION 94. There is appropriated or authorized, as the case may be, the sum of \$25,934,382 in general fund, \$2,243,025 in federal funds and \$2,647,601 in special and other funds for the fiscal year 1975-1976 and of \$39,923,748 in general fund, \$3,318,399 in federal funds and \$3,775,035 in special and other funds for the fiscal year 1976-1977 to Program Planning, Analysis, Budgeting (BUF 101), to fund all collective bargaining cost items in the contracts negotiated with the exclusive bargaining representatives of bargaining units 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 13 and salary increases and other adjustments for other officers and employees excluded from bargaining units 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 13.

SECTION 95. The funds appropriated or authorized by this part shall be allotted by the director of finance for the purposes of this part. Increases for any officer and employee for whom a salary increase is provided by this part and whose compensation is paid, in whole or in part, from federal, special and other funds shall be paid from the respective funds.

SECTION 96. Any provision of law to the contrary notwithstanding, the governor is authorized to utilize such sums as provided in this Act for salary increases for employees who are excluded from any bargaining unit enumerated in Chapter 89, Hawaii Revised Statutes, provided that the granting of such increases shall not result in excluded employees receiving, in fiscal year 1975-76, total increases greater than those received by members of the unit nor in such increases taking effect earlier than increases received by members in the unit.

SECTION 97. Funds appropriated or authorized under this part that are not expended or encumbered by June 30, 1976 for FY 1975-77 fund authorization, shall lapse as of the respective dates.

PART X

SECTION 98. There is appropriated out of the general revenues of the State of Hawaii to Program Planning, Analysis, Budgeting (BUF 101) in the operating cost category the sum of \$334,862 for the fiscal year 1975-1976 and \$438,966 for the fiscal year 1976-1977, or so much thereof as may be necessary, for the purposes of this part.

There is further appropriated out of the general revenues of the State of Hawaii the sum of \$1,200,000 for the fiscal year 1975-1976 and \$1,300,000 for the fiscal year 1976-1977, or so much thereof as may be necessary, to be expended by the department of education for the purpose of adjusting the salaries of substitute teachers if S.B. No. 553 or H.B. No. 867, Regular Session of 1975, is enacted into law.

Special and federal funds shall be used to the maximum extent before state funds are utilized for this part. Unexpended funds

of the fiscal year 1975-1976 appropriations shall lapse as of June 30, 1976, and unexpended funds of the fiscal year 1976-1977 appropriations shall lapse as of June 30, 1977."

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

Upon reconvening at 12:54 o'clock p.m., Representative Soares moved to adopt the amendment to S.B. No. 535, HD 1, seconded by Representative Amaral.

Representative Soares then rose to speak in favor of the amendment.

"It seems strange that items involving such a large sum of money as collective bargaining contracts, pay raise for sub teachers and PBS be included in this overall State operating budget. It is my understanding that these items total approximately \$66 billion over the 75-76 biennium - such a large amount should be taken into account along with other major portions of the budget. So, Mr. Speaker, I urge members of this honorable body to vote in favor of this amendment."

Representative Ajifu then rose and stated:

"I, too, would like to speak in favor of the amendment - the amendment proposed before this body, Mr. Speaker.

Mr. Speaker, this measure before us, S.B. No. 535, HD 1, has several omissions. These involve funds to cover collective bargaining contracts for the State's teachers, University of Hawaii faculty, nurses, and all other collective bargaining units. Other omissions include the funding necessary for pay raises for substitute teachers and to cover increased operating cost for the PBS program.

These are necessary expenses, which must be properly budgeted. This amendment will make these three important items an integral part of the State operating budget, giving them the attention and the stature they deserve.

Therefore, Mr. Speaker, I strongly urge that the members of this honorable body vote to adopt this amendment to H.B. No. 535, HD 1.

May I ask for a roll call vote."

Representative Suwa then rose

to speak against the amendment and stated:

"Mr. Speaker, many, many times we have seen special bills go through, and this is one area that we like to treat the bill separately for all collective bargaining, and this is part of the House program. It fits within the financial plan, Mr. Speaker, and it is not deleted entirely from the budget as may have been stated in the amendment or by the prior speaker.

Mr. Speaker, it is the intent of the Committee on Finance that this is another House program in that this gave all of the pay raises for all the government employees. For that reason, Mr. Speaker, I urge the members of the House to vote down this amendment."

At 12:56 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:25 o'clock p.m., Representative Soares stated:

"After hearing from the Chairman of the Finance Committee, request a roll call vote."

The motion to adopt the amendment was put by the Chair and failed by a roll call vote of 16 ayes to 34 noes, with Representatives Abercrombie, Akizaki, Blair, Cayetano, Garcia, Ho, Inaba, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Lee, Lunasco, Machida, Mizuguchi, Morioka, Naito, Peters, Roehrig, Sakima, Segawa, Shito, Stanley, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki voting no, and Representative Fong being excused.

Representative Suwa then rose to speak for the bill, stating:

"Mr. Speaker, before speaking for the bill, I would like to insert in the Journal, the West Oahu College problem. S.B. No. 535, HD 1 deletes all operating funds for West Oahu College; however, the bill does appropriate \$200,000 for design and construction of the temporary facilities. It is the intent of the House of Representatives that these funds will not be released by the governor pending the result of the evaluation to determine whether there is statewide need for a second four-year campus.

Mr. Speaker, I rise to speak

in favor of S.B. No. 535, HD 1. As you may recall, S.B. No. 535 represents the executive budget in its original form. However, for reasons, the Senate chose not to disclose its proposed amendments to the budget. Our approach has been somewhat different. I firmly believe the State budget is the public budget; therefore, we are showing in our budget, and we disclosed to the Senate as well as to the public, all of the programs and decisions which we have made. I believe that it is only right that the public should be fully informed as to what the House's position is for the matter as important as the allocation of the tax payer's dollars.

We have followed a prudent course in the recommended budget. It does not call for tax increases. The national policy, enacted by the Congress and agreed to by the President, calls for a tax reduction and rebates to stimulate the economy. I do not think it is wise for the State policy to counter to the national policy. Our basic decision, therefore, is that our program must be funded from within the existing revenue sources. It is a budget which restores to the need level those programs which were experiencing hardship by austerity. It is a budget which authorizes new programs only in cases where they are clearly needed. It is a budget which authorizes only those capital investments which are immediately required.

And, finally, Mr. Speaker, it is also a budget which reflects a strong sense of legislative priorities. In this respect, the subject matter committee has played an important part in shaping the budget before us. Many of their comments are to be found, not only in the budget itself, but also in the guidelines specified in the Committee Report and program budget listed in the bill. As we have expressed in Committee Report, it may be said that it represents the work of the Committee on Finance. I wish to thank all of my colleagues and staff for participating in this budget. I urge all of you to support the bill."

Representative Amaral then rose to speak in favor of the bill:

"Mr. Speaker, I rise to speak in favor of this bill, the budget for the State for the next two years.

Mr. Speaker, I believe this budget is a good one -- possibly one of

the best this House has provided for many years. After two years of austerity spending because of faulty administration predictions of huge deficits, this honorable body is providing about \$21,000,000 for new programs. At the same time, your Finance Committee, Mr. Speaker, has deleted about \$11,000,000 of 'fat' from administration proposals.

Among the new programs that are funded by this proposed budget are:

--the house-approved modified flat-grant aid and the public assistance quality control program;

--the Executive Office of the Aging and other health and outreach programs for Hawaii's elderly;

--new and expanded programs in education, including alternate schools, vocational education, special ed, more counselors, the HEP program, art and music programs in our elementary schools and sports programs for girls.

The proposed budget also provides for an expansion of the School Health Services Project and more funds for staff at Waimano Training School.

Mr. Speaker, your Finance Committee is in full support of the University's Law School and has provided funds accordingly. We have provided some of the funding requested by the University. At the same time, we have withheld funding for the proposed West Oahu College until another study has determined the real need -- or lack of need -- for another four-year college on Oahu.

Mr. Speaker, I believe the most important function your Committee has provided is a thorough review of the provisos upon which legislative intent must be considered by the governor in funding of programs provided for in this budget. Your Committee spent nearly two days considering the wording of these provisos -- something that has been overlooked in the past.

Therefore, Mr. Speaker, I urge the members of this honorable body to vote aye on S.B. No. 535, HD 1. Thank you, Mr. Speaker."

Representative Roehrig then

rose and stated:

"Mr. Speaker, I rise to speak in favor of this measure.

Mr. Speaker, this bill contains, as far as the Judiciary area is concerned, this year's efforts of trying to improve upon and upgrade our corrections system in the State of Hawaii. The provisos in the bill and the language in the committee report reflect hundreds of hours of work of the Judiciary Committee and other members of the House who have taken time, because of their concerns about the corrections problems in the State, to come to grips with some of the areas that have long needed attention. Approximately the first third of this session was spent by your Judiciary Committee and other interested House members making a tour of most of the facilities in the State that bear on the correction and rehabilitation of criminal offenders in this State.

This bill provides for several hundred thousand dollars increase in the operating budget for our corrections programs. The Committee has placed emphasis on the Youth Correctional Facility. There's much concern being raised by members of the Committee and other interested members of the House, and some minority members from that area, regarding the kind of programs we are going to have for our youthful offenders and persons in need of supervision. We provided the wherewithal to start a pre-release program to get the farm program going again; sewing instructors for the girls; carpentry instructors for the boys; just to name a few of the areas of your Committee's concern.

At Oahu Prison, we spent much time trying to come to grips with ways to improve our correctional industry program. We also spent much time looking into the areas such as the rules, administrative, health problems, educational opportunities of Hoomanu School, the conditional release centers, the adult honor camps, the Parole Board functions - we went the gamut. And as a result of these efforts, Mr. Speaker, it is very gratifying to see that the Finance Committee, in their wisdom, included all of our areas of concern in the House budget.

I think it is a good bill. It does address a corrections problem.

We haven't solved all the problems in the corrections area, but we have pretty well flagged out the areas that need further attention, and for this reason, Mr. Speaker, I would urge all members to please vote for the measure. Thank you."

Representative Yuen then rose and stated:

"Mr. Speaker, with your permission, I would like to speak in favor of this bill. Before I proceed, I would like to thank and acknowledge Jack Suwa and members of the Finance Committee for putting forth what I consider a most comprehensive budget - a job certainly well done.

Mr. Speaker, the Committee on Education, recognizing the power of knowledge and realizing that breakthroughs in solving the educational problems in this State demand imaginative and innovative techniques, embarked upon an ambitious schedule of hearings and meetings throughout the State. In every school district, discussions were held with students, teachers, administrators, and the general public in order to better understand the immediate concerns of the people in terms of education. It soon became apparent that from every point of view, education is of paramount concern to the people of Hawaii. The educational program package worked out by the members of the Committee and included in S.B. No. 535, HD 1 is in direct response to what the people have declared are their most urgent educational needs.

This package achieves the proper balance in terms of both quality and quantity and makes specific provisions for the following:

(1) Alienated youth - \$1.8 million has been provided for alternative school projects aimed at increasing the opportunities and incentives for our youths to develop their talents and to complete their education.

(2) Special education - the budget provides more than \$300,000 in recognition of the need for special programs for children suffering from physical, emotional, or mental handicaps.

(3) Reading - improving

the reading capabilities of our students is a matter of prime concern, and the \$1.5 million included in the budget for reading programs is intended to provide for improvement in this area.

(4) HPE, Art, and Music - each of these is vital to the quality of life and thus \$1.8 million has been included for these programs.

(5) Career guidance and counseling - the \$1 million provided was viewed as a means for direct help to many puzzled and troubled students as well as being beneficial to the entire school population.

(6) Gifted students - this too often neglected group, usually being taught far below their capabilities, were provided with \$70,000 for the development of a gifted program.

(7) Girls sports - the \$200,000 provided for this program is only the first step toward equalizing the sports programs for both boys and girls. In view of the importance of physical fitness, this equalization attempt is long overdue.

Of course, there were many other aspects of this package -- each important, but too numerous to mention.

A successful educational system requires the proper balance, in terms of both quality and quantity -- I feel this education package provides this. It is a modest program with ambitious goals -- seeking to meet the immediate needs of the populace in terms of education, and providing a well-rounded approach in learning.

This is not a partisan measure. It neither includes nor rejects all of the features which have long been sought by the various educational agencies and organizations. Instead, it is an attempt to establish a thoughtful and balanced program based upon the desires expressed by the people in their meetings with the Committee on every island and upon the proposals of many representatives of both political parties. This is an educational program which I feel to be clearly realistic in terms of its cost and quite indispensable to the growth and development of our State. The investment we make today will pay rich dividends in the years to come -- in increased economic growth, in an enlightened populace, and in general excellence. I believe that this measure represents an

essential though modest contribution to education in Hawaii. It is time now to act decisively to fulfill our responsibilities toward education and to implement this package. Therefore, Mr. Speaker, I urge full support of S.B. No. 535, HD 1. Thank you very much."

Representative Sutton then rose and stated:

"Mr. Speaker, I rise to speak against S.B. No. 535, HD 1, known as the budget.

Mr. Speaker, this budget represents a great deal of hard work and I would be remiss were I not to acknowledge Chairman Suwa and his Finance Committee - they have worked hard there's no question about it. I have had the privilege of attending some of their meetings and I have worked with the Chairman of the Judiciary on this budget. The budget comprises"

At this time, Representative Sutton switched to another microphone due to the mechanical failure of his own and stated:

"Excuse me, Mr. Speaker, we're not supposed to change horses in the middle of the stream, but my speaker was broken."

The Chair responded with the following:

"I think the speaker wanted to change horses."

Representative Sutton then stated:

"Mr. Speaker, if you see the name plaque 'AMARAL', just look at the 'IKE SUTTON', please."

The Chair replied: "I will."

Representative Sutton then continued:

"The budget comprises \$1.3 billion and we passed this without due reflection for those of us who are not members of the Finance Committee.

Mr. Speaker, first the governor sends down a budget, then a supplemental budget, then he subsequently sends down a separate bill, S.B. No. 1645, for which we just tried to put in an amendment so as to give this thing some cohesiveness, and we failed. And then he sends down all these collective bargaining

agreements which he's approved and we haven't and he asks us to rubber stamp those and this is part of something that is not in the budget - a \$65 million addendum.

Mr. Speaker, at the risk of being redundant, a budget is a budget; or to paraphrase Gertrude Stein, a budget is a budget. It should be up-to-date, Mr. Speaker, complete in itself and presented as a control that is self-sufficient in and of itself. The Bible, if you will, for the next two years, the biennium. But, Mr. Speaker, this Bible doesn't have just an Old and New Testament, it has a Mathew, Mark, Luke, Jack and George. How can I cite scriptures, Mr. Speaker, without chapters and verses in one vehicle.

Mr. Speaker, I have taken a CPA exam, but this budget, Mr. Speaker, is beyond my comprehension to digest in twenty-four hours.

Mr. Speaker, I represent 14,000 people, and you're practically in my district now, as you stand there, and I think that they have a right to ask that I vote appropriately when it comes to spending \$1.5 billion of their money. I, therefore, must request a no vote, recognizing there, quite humbly, my own insufficiencies."

Representative Abercrombie then rose and stated:

"Mr. Speaker, I will humbly acknowledge all of Representative Sutton's insufficiencies, but I rise to speak in favor of the budget.

Mr. Speaker, I hadn't intended to till I reflected, as I was sitting here, on a role I haven't been able to play, but one that we consider for personal reasons, part of the reasons, to run for office.

The House, in its wisdom this year, made a separate activity for the Legislature to go into and it gave this responsibility to a freshman legislator, Representative Ho. I think that the work that Representative Ho has accomplished, along with the rest of the Committee, in the program area of education and the arts - Culture and the Arts - is reflected in the Finance Committee's treatment of our budget. I think that the response that we got from the Finance Committee was such that they realized the work that Representative Ho accomplished.

I keep saying him because I think he has been the moving force in this area. I have seldom seen anyone go to work as hard, more thoroughly, and of course, that includes his staff - I'm happy to see that some of them are here today, because they deserve a tremendous amount of credit.

This budget reflects something we can all be proud of in the area of culture and the arts, and this Legislature can be proud of the fact that it has a man like Richard Ho in its midst.

Thank you."

Representative Segawa then rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill; and for the information for the Representative of the minority party from the 15th District, I want him to be aware that this budget has been increased; has been appropriated to provide for better services for the Hawaii State Hospital, Waimano Home, or at any of the neighbor island hospitals; and we have improved the health care in elderly homes and he might want to take any of the choices that we allowed; and he may be assured that the services that the Health Department will be providing will be much better, much improved"

At this time, Representative Soares rose on a point of order, and upon being recognized, stated:

"Mr. Speaker, may I ask the speaker a question?"

Upon receiving an affirmative reply from the Chair, Representative Soares proceeded, stating:

"Are you promoting the introduction to these units of my colleague, Representative Sutton?"

Representative Segawa replied:

"I do not wish to refer to personalities, Representative Soares, but I just said that he might be referred to the honorable IRS."

Representative Soares then stated:

"Mr. Speaker, I feel that the comments and remarks expressed

by my colleague, Representative Sutton, on this floor are very sincerely thought out and very well explained and I do not think that the comments made by the previous speaker should be directed to him but to the budget itself."

The Chair then stated:

"I believe the speaker is directing his comments to the budget, Representative Soares. If one feels that personalities are being involved, let the members be assured that the Chair is well aware of these instances and will call on that person."

Representative Segawa then continued, stating:

"Thank you, Mr. Speaker. I would like to have this point brought up in the Journal that these institutions that I have mentioned have been brought up for much criticism in the last year or so and much of the criticism has been brought out in the way that may reflect on the administration and on the management of these institutions. This may be true to some extent, and yet I feel that the Legislative body here must take some blame for the austerity program that has been done in the last few years.

I speak especially for Hawaii State Hospital and Waimano Home where the patients there are unable to speak for themselves to decry the kind of services that they have received in the past years. Their relatives and families and friends, in many instances, have not been able to come forward to talk about the problems and deficiencies there at these institutions.

Your Committee on Health has worked many hours in Committee hearings, in visitation of these institutions and into the many problem areas that were called out in the Department of Health. We have been made very much aware of these problems--that they require monies to carry out their programs.

The Committee on Finance has seen it appropriate to appropriate all the funds that have been asked by the governor to provide these services so that those who come to speak for themselves may receive the kind of services that they are entitled to. In addition, Mr. Speaker, I would like to state here that your Committee on Health recommended and passed out a bill to provide State health aides

to all the schools in the State of Hawaii. There is an appropriation in the budget in excess of \$1.4 million to provide such services. Your Committee on Finance saw fit to increase these amounts to provide better services and higher pay to these health aides throughout the State.

I would like to have it noted that the Senate will be coming out with a bill that will be cutting down these appropriations and I would like to have it noted that who is going to make these cuts; as to which ones will not have. Mr. Speaker, your Committee on Health and your Committee on Finance, especially, have worked many hours on this budget. It provides for the people of this State and I would like to call on the members of this honorable body to all vote in favor of this bill."

Representative Machida then rose and stated:

"Mr. Speaker, I wish to speak in favor of the budget document as it relates to education.

The quality of thought in our classrooms today will undoubtedly influence the quality of life in our State tomorrow. In our quest toward an improved means of education for all of our children, there is increasing realization that education is the best investment we can make for our future well-being. Hawaii could neither prosper nor endure without well-trained, creative men and women. And, while a high school diploma is not necessarily a passport to a successful life, it certainly increases the young person's opportunities for employment and economic independence. Therefore, it is for the sake of our young people and for ourselves both that I strongly support the comprehensive education package included in this budget bill and assembled by the members of the Committee on Education after a long series of hearings and field investigations. While we cannot provide all the financial assistance needed to solve all of the problems in our schools today, I feel that the education package has been selective and stimulative, attempting to meet most urgent needs of our schools.

Throughout the State, a cry for additional support of the band

programs was heard. Students were being asked to purchase or rent their own instruments in order to participate in the band program, simply because the school did not have enough usable instruments to go around. This is a hardship both on those students who cannot afford the luxury of purchasing an instrument, and on the music teachers trying to put together a workable program. Recognizing the importance of music in a well-rounded educational program, \$500,000 was included in the budget for the purchase of new instruments and the repair of old ones.

While the quality of education is heavily dependent upon the quality of teachers, good teachers are not enough. Good teachers require good schools, schools that are maintained and properly repaired. In recent months we have been plagued by a rash of school fires, some vandalism, and occasional theft. In addition, the normal repairs and maintenance required by the schools are still necessary. To avoid substandard health and safety conditions and to encourage an appropriate learning atmosphere, \$9,000,000 has been included in the budget for the repair and maintenance of school facilities.

In terms of improving that tragic accident and injury record on our highways, an effective drivers' education program has been developed. The budget provides for expansion in this area to meet the needs of the many students who have been waiting to take the course, but have been unable to do so because of the limited hours it was offered or because of the lack of cars for training. Some \$200,000 was included in the budget for this purpose.

The Hawaii English Program was specifically developed to meet the needs of the students in our schools. It was a novel attempt at satisfying individual student needs in the area of language arts. During the hearings and meetings conducted by the Education Committee throughout the State, it became apparent that HEP is a workable program, acceptable to most teachers and students. However, common problems with HEP were continually pointed out. These included: the need for more installation teachers to help HEP classroom teachers with particular problems; additional in-service and pre-service training for HEP teachers; and additional materials and supplies so that the teachers would not have to rely on sharing

materials with other classes or schools. The Departmental budget request intended to solve these problems appears sufficient for these purposes.

Another plea heard from students, teachers, and parents on all the islands was that for improved vocational education. The need to provide training opportunities to the thousands of youngsters now in grade school who will enter the labor market without a college degree in the 1980's is obvious. They need training in occupations which have relevancy to contemporary Hawaii, for they will be entering the labor market at a time when the need for unskilled labor is sharply diminishing. The once successful agricultural programs in many of our rural schools have been sadly neglected in recent years. Equipment has been deteriorated and land has lain fallow. Students are showing a renewed interest in this area which could have a beneficial economic effect on the State. The \$2.1 million included in the budget for vocational education is intended to bolster this and other educational programs in our schools.

I feel that these measures represent an essential contribution to the education of Hawaii's youth. The proposed educational program is reasonable and yet far reaching. It provides for economic growth, manpower development, and progress toward our educational and humanitarian objectives. It encourages the increase of the knowledge, skills, attitudes, and critical intelligence necessary for the progress and development of our State. I, therefore, express my strong support for this measure and also thank the Finance Committee for doing a job well done.

Thank you very much."

Representative Cobb then rose and stated:

"Mr. Speaker, I rise to speak in favor of S.B. No. 535, HD 1. In doing so, I take cognizance of some of the earlier remarks being a rather hard act to follow in the lateness of the hour.

It's kind of a first - first time that we've really had this much broad-based input from both sides of the aisle and from all

committees in the House; a personal first, that it's the first time I can vote affirmatively for a budget document on First Reading; it's also a first in terms of some of the provisions that exist in this almost amazing document.

One of the earlier speakers remarked for the need for more time to consider this document, and I concur with that sentiment because a digest of this particular bill that was done, ran over twenty-six pages. But some of the controls there established are really unique and constitute a real departure from the past practice of discretionary spending by the administration. The sections are too numerous to list, but in reality, they are a take-off on H.B. No. 10 which we passed earlier to establish some form of budgetary control by the Legislature in amending Chapter 37, Hawaii Revised Statutes. I don't think that the language in here establishes a total control, with a total accountability that some of us would like to see, but it is a beginning, a very good beginning.

Furthermore, the Finance Chairman is absolutely correct when he says we're not playing games. This budget document is very clearly a House position. A position that can be maintained in conference. And, as the Finance Chairman stated on the Legislative intent for West Oahu College, I would reiterate that it's clearly our intent that no operating or CIP funds be expended until such time that a study or survey has, in fact, been completed and is subject to Legislative review.

I also note, in passing, this budget contains one of the lowest number of personnel increases in the history of Hawaii. In fact, for the fiscal year 75-76 there are 250 total additional personnel positions, and for the fiscal year 76-77 a total of 216. A radical and, I think, long overdue departure is the increase in the amount of people that have been put on contract for fee or contract hire. Why then they are not permanent civil service employees, but rather are judged on an annual basis as to the performance of their contract and its renewal, and I think this helps put the State in an enviable position of then being able to judge on the merits of performance of how jobs are done in many of our program areas. I am keenly aware of this because of the many contract for fee positions we mandated in the Judiciary budget in Corrections.

And, this will give us, in the Legislature, a chance to judge on the merits of performance, how well a job is done.

Finally, Mr. Speaker, I would like to express my personal thanks to the Finance Chairman and all of the members of the Finance Committee. As one of those members remarked, 'not everything in the budget is non-controversial.' We have the first in a document of compromise; a document of controls; a document of agreement; and, I think, it's the most workable budget that we've ever had and I'm proud to support it.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 535, HD 1 passed Third Reading by a vote of 50 ayes, which was not less than two-thirds of all the members to which the House is entitled, to 1 no, with Representative Sutton voting no.

The Chair directed the Clerk to note that S.B. No. 1332 passed Third Reading at 12:43 o'clock p.m. and S.B. No. 535 at 2:07 o'clock p.m.

At 2:07 o'clock p.m., on request by Representative Poepoe, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:08 o'clock p.m.

At this time, Representative Abercrombie requested to make a late introduction, and upon receiving an affirmative reply from the Chair, proceeded to introduce Mr. David Trask, who was seated in the gallery, to the members of the House.

The Chair then stated:

"The Chair, at this time, would like to extend his particular appreciation to Chairman Suwa, Vice-Chairman Akizaki, members of the Finance Committee and all of the chairmen who participated in formulating a historic document. The Chair also appreciates the cooperation and input of the minority members."

At 2:10 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and

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

NIGHT SESSION

The House of Representatives reconvened at 7:40 o'clock p.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 710 on S.B. No. 1281, SD 2, HD 2 (Deferred from March 31, 1975):

On motion by Representative Roehrig, seconded by Representative Suwa and carried, the report of the Committee was adopted and S.B. No. 1281, SD 2, HD 1, as amended, having been read throughout, passed Third Reading by a vote of 46 ayes which is not less than two-thirds to which the House is entitled, with Representatives Carroll, Fong, Kunimura, Poepoe and Ushijima being excused.

THIRD READING

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

S.B. No. 1215, SD 1, HD 1

On motion by Representative Cayetano, seconded by Representative Kiyabu, S.B. No. 1215, SD 1, HD 1 passed Third Reading by a vote of 46 ayes, with Representatives Carroll, Fong, Kunimura, Poepoe and Ushijima being excused.

S.B. No. 1628, SD 1, HD 1

Representative Segawa moved that H.B. No. 1628, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Naito.

Representative Santos then rose to speak for the passage of the bill, stating:

"Mr. Speaker, I rise to speak in favor of S.B. No. 1628, SD 1, HD 1.

Mr. Speaker, the State of Hawaii has a responsibility to its developmentally disabled citizens - - a responsibility to provide them with quality health, educational, vocational and recreational services.

This bill calls for the coordination

of such services for the developmentally disabled and, further, places the Developmental Disabilities Council in the Office of the Governor and authorizes it to review, monitor and evaluate plans and programs prepared by the various Departments of State on behalf of the developmentally disabled.

Your Committee on Health received testimony from consumers and providers, attesting to the lack of coordination of services for the developmentally disabled. Efficiency levels are low, and much duplication and overlapping of services exist.

After meeting with representatives of various departments and agencies responsible for providing services to the developmentally disabled, your Committee on Health has agreed to support the intent of S.B. No. 1628, SD 1, HD 1.

A coordinated system of delivery of services for the developmentally disabled, from birth to death, is an absolute necessity to enable our developmentally disabled to live their lives as completely and normally as possible.

I urge the members of this honorable body to vote aye on S.B. No. 1628, SD 1, HD 1.

Thank you, Mr. Speaker."

The motion to pass S.B. No. 1628, SD 1, HD 1 on Third Reading was put by the Chair and carried by a vote of 48 ayes, with Representatives Carroll, Kunimura and Ushijima being excused.

S.B. No. 608, SD 1, HD 1

Representative Roehrig moved that S.B. No. 608, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Uechi.

Representative Roehrig then offered the following amendment to S.B. No. 608, SD 1, HD 1:

"SECTION 1. Senate Bill 608, S.D. 1, H.D. 1 is hereby amended in the following manner:

1. Delete the period at the end of line 18 and add the following: ' , or to any antique pistol or revolver. '

2. Add a new paragraph to the end of section 2 of the bill to read

as follows:

'The term antique pistol or revolver means any pistol manufactured in or before, 1898 and any replica of such pistols or revolvers if such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.' "

At 7:42 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 8:01 o'clock p.m., Representative Roehrig moved that the amendment be adopted, seconded by Representative Uechi.

At this time, Representative Roehrig explained the amendment as follows:

"The effect of this amendment on our bill relating to all Saturday Night Specials is to exempt antique pistols and revolvers from the application of the law as we are proposing it. The effect of this would be that after the July 1, 1975 deadline that we have set, antique pistols and revolvers will still be allowed to be in circulation. The language that we have used in the proposed amendment is lifted from the Gun Control Act of 1968 - the federal legislation which considers the subject matter of antique pistols and revolvers; and we use the same precise, identical language so that if litigation arises in the application of this chapter, that the courts will have some guidance by way of federal decisions to use by way of analogy. This amendment will take care of all of the concerns that the gun fanciers and collectors in the State of Hawaii may have relating to the application of the Saturday Night Special Law as regards their particular hobby. I think it's a good amendment and ask the members to vote for it."

The motion was put by the Chair and carried and the amendment was adopted.

By unanimous consent, further action on S.B. No. 608, SD 1, HD 1, as amended, was deferred until tomorrow, Wednesday, April 2, 1975, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 608, SD 1, HD 2 were made

available to the members of the House at 8:00 o'clock p.m.

S.B. No. 512, SD 1, HD 1

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 512, SD 1, HD 1 passed Third Reading by a vote of 47 ayes to 1 no, with Representative Sutton voting no, and Representatives Carroll, Kunimura and Ushijima being excused.

S.B. No. 950

Representative Roehrig moved that action on S.B. No. 950 be deferred to the end of the calendar, and the Chair, noting that there were no objections, so ordered.

S.B. No. 830, HD 1

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 830, HD 1 passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Kunimura and Ushijima being excused.

At 8:05 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:09 o'clock p.m.

S.B. No. 330, HD 1

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 330, HD 1 passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Kunimura and Ushijima being excused.

S.B. No. 1645, SD 1, HD 1

Representative Suwa moved that S.B. No. 1645, SD 1, HD 1 be deferred to the end of the calendar, and the Chair, noting that there were no objections, so ordered.

S.B. No. 1159

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 1159 passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Kunimura and Ushijima being excused.

S.B. No. 1303

On motion by Representative

Roehrig, seconded by Representative Uechi, S.B. No. 1303 passed Third Reading by a vote of 47 ayes to 1 no, with Representative Ikeda voting no, and Representatives Carroll, Kunimura and Ushijima being excused.

At 8:11 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:10 o'clock p.m.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

S.B. 950, SD 1, HD 1 on Third Reading:

On motion by Representative Abercrombie, seconded by Representative Roehrig, S.B. No. 950, SD 1, HD 1, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Kunimura and Ushijima being excused.

S.B. No. 1645, SD 1, HD 1 on Third Reading:

Representative Suwa moved that S.B. No. 1645, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Suwa then rose and stated:

"Mr. Speaker, I rise to speak for S.B. No. 1645, SD 1, HD 1.

Members of the House what we have before us is a bill giving pay raises to general government employees, members of the Executive Branch and members of the Judiciary. There has been much talk against consolidation of these pay raises. Perhaps it should have been handled some other way. However, we should not lose sight of the fact that the Executive and the Judiciary have not had pay raises since 1970. Meanwhile, regular government employees have been receiving their pay raises from time to time. The issue we face today is not how we handle the pay bill. The issue is, are the members of the Administration and Judiciary entitled to a pay raise or not? The means or method by which they are to be given their pay raise is secondary. The State government has good, competent Administrative and Judiciary personnel; however, it is a continuing challenge to retain good personnel and to attract good prospects to fill vacancies.

The plan set forth in this bill provides the mechanism to meet this challenge. Mr. Speaker and members of the House, all I am trying to say is, are all the people in this bill entitled to a pay raise? If so, let us give it to them. Thank you."

Representative Ajifu then offered the following amendment to S.B. No. 1645, SD 1, HD 1:

"SECTION 1. Senate Bill 1645, Senate Draft 1, House Draft 1 is amended as follows:

1. By deleting Parts II, III, and IV.

2. By adding a new part to read as follows:

'PART II

SECTION 5. There is further appropriated out of the general revenues of the State of Hawaii the sum of \$1,200,000 for the fiscal year 1975-1976 and \$1,300,000 for the fiscal year 1976-1977, or so much thereof as may be necessary, to be expended by the department of education for the purpose of adjusting the salaries of substitute teachers if S.B. No. 553 or H.B. No. 867, Regular Session of 1975, is enacted into law.

Special and federal funds shall be used to the maximum extent before state funds are utilized for this part. Unexpended funds of the fiscal year 1975-1976 appropriations shall lapse as of June 30, 1976, and unexpended funds of the fiscal year 1976-1977 appropriations shall lapse as of June 30, 1977."

At 9:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 9:18 o'clock p.m., Representative Ajifu moved that the amendment be adopted, seconded by Representative Cobb.

Representative Ajifu then rose to speak in favor of the amendment, stating:

"Mr. Speaker, this amendment to Senate Bill 1645, SD 1, HD 1, would allow us to meet the pressing financial requirements of the new collective bargaining contracts for the State's teachers, University

of Hawaii faculty, nurses and all other collective bargaining units, including the pay raises for the State's substitute teachers; and keep us from making an extremely hasty decision regarding pay raises for our department heads and judges.

In offering this amendment, I do not question the merits of considering higher salaries for these administrators and judges. I, however, do question the propriety of bringing this measure before this body in piggy-back fashion, attached to a bill necessary to the State in such a fashion as to make it difficult to vote against these administrative and judicial pay raises.

Allowing Senate Bill 1645, SD 1, HD 1, in its present form, would amount to ram-rodging these pay raises through this body without benefit of public hearing and other important steps in the democratic process.

So, Mr. Speaker, I ask that this honorable body adopt this amendment which would allow us to appropriate needed funds without being forced to grant pay raises that we have not fully investigated.

Thank you, Mr. Speaker."

Representative Larsen then rose and stated:

"I rise to speak in favor of this amendment. I believe in the collective bargaining process. It functions in private industry and in most areas of government.

I resent being handed a bill like Senate Bill 1645, SD 1, HD 1, which includes the results of straightforward bargaining mixed up with arbitrary salary increases proposed for other government positions. When we want to buy apples or oranges, we are told 'No, here's a fruit salad'.

In a time of financial stress in our national economy, when the federal government has just passed a tax rebate of \$100 to \$200 per taxpayer, we on the State level should not be granting pay increases of 45% to 65% over present salaries to any government employee.

These increases are completely out of balance with the generous 8% to 20% increases granted teachers and university professors through the collective bargaining process.

I urge you, my fellow representatives, to vote in favor of this amendment which removes these arbitrary salary increases from those increases arrived at through collective bargaining.

Thank you, Mr. Speaker."

Representative Garcia then rose and stated:

"I rise to speak against the amendment.

There are several points made by the Republicans that I would like to consider tonight. The first one being that by adopting this amendment we would allow the collective bargaining units to be funded. Well, Mr. Speaker, the Finance Committee has taken into consideration the cost of the collective bargaining units plus the cost for the increase for the department heads and judges, and they have found, in their wisdom, that these costs have been incorporated into one particular bill, that the financial situation can take care of these additional costs.

The second point brought out by the Republican from Kaneohe is that a hasty decision was made. What I would like to remind the gentleman is that this decision was made in the Finance Committee, after proper hearings. The increase for the judges was made in the Judiciary Committee, after proper hearings, and forwarded to the Finance Committee. Mr. Speaker, we're not ram-rodding pay raises here. What we're trying to do is to develop the financial plan; after consideration by the public, after input in these hearings, so that we can come up with a pay increase for people who deserve it, not only in collective bargaining units, but people who work for the State. For these reasons, I ask this body to defeat this amendment."

Representative Roehrig then rose and stated:

"Mr. Speaker, I rise to speak in opposition to this amendment and others that may come up tonight relating to this same subject matter.

One of the effects of this amendment, Mr. Speaker, is to delete Part VIII

of the bill which provides for adjustments in the salary for our Supreme Court justices, all of our Circuit Court judges in the State, our District Court judges, Family Court judges and the Director of the Courts. One of the basic concerns of the people of the State of Hawaii, at the present time, and of the people throughout the United States relates to the effective administration of the justice system in these United States.

The people are genuinely concerned, and they were concerned at election time, when we campaigned, about the rising rate in crime and the problems of bringing those charged with criminal activities to justice before our courts. The judges of our judicial system form the first line of defense in our democratic government for the redress of the people who are accused of criminal activities and for the redress of the public's concern about those accused of criminal activities. We get what we pay for.

We seem to have a double standard, however, when we start talking about the salary levels for public officials and, in this instance, our judges. This amendment, if it were to be adopted, would delete any pay increases - the cost of living was 30% less than it is now in the State of Hawaii. We seem to have a double standard in trying to attract the most capable and qualified and successful legal practitioners to administer our form of justice and law in our society. At the same time as we try to attract these people, we want to pay them peanuts. We're not willing to pay them the kind of salary that this kind of a post demands in our competitive community.

The rates set in this bill for the judicial salaries reflect the considered opinion of the Judicial Council that made a very thorough study over the course of the whole last year to determine what would be the most fair and equitable scheme for our judicial salaries to take for the era of the 70's. So, Mr. Speaker, I would urge every member of this House, who is concerned about the administration of our justice system, to consider well his vote before we turn down needed and very important pay adjustments for our judges. For that reason, I ask every member of this House to vote down this amendment.

Thank you."

Representative Cobb then rose and stated:

"Mr. Speaker, I rise to speak in favor of the amendment. In doing so, although I hadn't planned to speak, some of the previous remarks, I think, bear comment.

First of all, I attended a good part of the hearing of the Finance Committee on this budget bill. To my knowledge, and having checked with several others on the Committee, no one, I repeat, no one, testified in favor of these executive pay increases. In fact, when I raised the question as a guest member of the Committee, it was stated that it was not the intent to go into this, and when I further raised the question about the definition of language in the particular bill as to whether or not they could include these particular individuals on the executive level, the interpretation was that would not. But now we find an HD 1 on the bill and its been considerably amended.

I'd also like to address myself to the concern of money. Too often, I think, we feel that the best solution to a problem is to throw money at it. I don't think that's a valid judgment in this case because I found in the correctional tours that we conducted, many dedicated people who are there primarily to help and who are being paid more than a decent wage.

The comment 'peanuts' was used for judges. Well, I would like to read just what those salaries are now and what they are going to and how much of an increase this would result under the terms of this bill. Under Part 3, judges for the District Family Court may now make 80% of the Circuit Court Judge's pay. The present pay is \$24,200 a year; by January 1st of next year they will go to \$39,591 - an increase of \$15,391 or 64% more than what they have now. The Administrative Director of the Court right now makes \$22,670 a year. His pay in January will go to \$39,000 - that is an increase of \$16,330 or 72%. Is that what we mean by peanuts, Mr. Speaker? But, let's go on. The Chief Justice right now makes \$33,800. His

pay in January will be \$49,260 - a \$15,380 increase or 45%; and, incidentally, \$7,000 more than the governor of this State makes. Associate Justices of the Supreme Court now make \$32,000. Their pay would go to \$47,500 - a \$14,000 increase or 45%; and, it is also \$5,500 more than the governor makes. Circuit Court judges will go from \$30,000 to \$43,000. Mr. Speaker, none of this comes under the purview of 'peanuts'.

In addition, I note that there has never been a shortage of applicants for judge's positions. There's always a waiting list. . ."

The Chair, at this time, cautioned the audience by stating:

"The Chair requests that the audience exercise decorum at all times."

Representative Cobb then continued:

One of the things I want to express is the agreement with previous speakers that I'm in no way opposed to the collective bargaining contracts that have come before us. Mr. Speaker, I ask, 'How can we justify to our own government employees, who are negotiating long and hard for raises of 5, 6, 7 or 8 percent, and then turn around and grant the percentage increases that I just outlined?' And, these are not the maximum ones. There are some that go over 100% increase on a person's salary. This amendment, Mr. Speaker, is designed to separate the negotiated items which are properly a part of collective bargaining and those items which have not been negotiated and which have suddenly appeared in House Draft 1.

Mr. Speaker, this amendment would be, in my mind, a proper implementation of the Collective Bargaining Act. But to allow this bill to remain piggy-back would be a perversion of collective bargaining, because the controversy on this budget measure is not what has been negotiated as a matter of collective bargaining, but that which has been piggy-backed in the last 24 hours. And for that reason, I urge every member of this House to support this amendment."

Representative Poepoe then rose and stated:

"I rise to speak in favor of the amendment.

Mr. Speaker, the issue before us tonight is a very simple issue; namely, collective bargaining pay increases versus appointed officials pay increases. Members in the Republican caucus are in favor of the negotiated employee pay increases. However, we have numerous objections to the amounts and timing of the pay increases for cabinet officers, judges, legislative staff and all of the others.

Our amendment addresses itself to the issues as we see it; namely, to separate the employee package from the appointed officials' package. Each of these items should stand on its own and be approved or disapproved on its own merits. This is the proper procedure to follow, we believe, and we urge you all to consider it favorably."

Representative Roehrig then rose and stated:

"Mr. Speaker, I didn't plan to speak again, but in light of some of the comments made by the previous speaker, I would like to speak again in opposition to the amendment, if I may.

There has been mentioned the fact that what the judiciary is going to be making is certainly not peanuts, and I would be the first to admit that it is not. But when you compare the salaries, existing salaries, of our judiciary, or judges, with that across the country, we come in thirty-third out of the fifty, so far as the present levels are concerned. Now, with these increases, if my recollection serves me correctly, they will be up to around 7th or 8th.

Now, it has also been stated that this is a lot of money. For those who have taken the time to calculate what amounts we are talking about for judges and judiciary salaries, we are talking about \$1.1 million over the next two fiscal years. The total pay package that we have before us is a total of \$70 million over the next two years. So this is one part out of seventy - a little more than one part out of 70 that we are having a discussion about at the present time.

It has also been stated that there is never a lack of applicants for these positions. I would suggest that that isn't in accord

with the facts. As a matter of fact, Governor Burns has had a very difficult time getting those members of the Bar to accept judicial appointments. The Bar Association has spent much time trying to attract some of the successful members of the Bar who are in their prime to accept these positions because it is the kind of post where we need to have the best available. It is true that members of the Legislature will more readily accept judicial appointments than members of the Bar in private practice. And the reason they do that is because in most instances they recognize the fact that it is a sacrifice, but as the witnesses before our Committee pointed out, they do have sufficient government service to benefit pretty well by the retirement system with ten years on the Bench. This is not necessarily the case of private practice. And this is what the Judicial Council had to come to grips with.

These amounts were not lightly arrived at. I would like to stress that it was a result of a Blue Ribbon Committee's thorough working over, over the course of a whole year, before they came up with these recommendations which your Judiciary Committee adopted and recommended to the Finance Committee. So, for those people in the audience and elsewhere in the State who feel that these increases are out of line, they are one part out of seventy of what we are adopting here; and that represents what I would suggest is the heart of our democratic system in terms of dispensing justice in our society--you get what you pay for."

Representative Poepoe then stated:

"No debate. Roll call, please."

Representative Kimura then rose and stated:

"Mr. Speaker, I rise to speak against the amendment.

Mr. Speaker, I would not like to belabor the points heretofore covered in the debate. I think the points have been spelled out in rather clear terms and, I think, the issues have been raised in very clear fashion.

I would like to, however, Mr. Speaker, point out a couple of points which I believe would bear well in considering this amendment. First of all, reference has been made by some of the proponents of this amendment that the percentage comparisons on the increase for these excluded public employees go into fantastic percentages

ranging from 30, 40, 50 and 70%. I think it is well to bear in mind that many of these very dedicated servants and the positions which are covered by these salary increases, have not been beneficiaries of increases for many years, and to take it so that we consider the percentage increase at this time, without taking into account the fact that they have not received these increases by virtue of collective bargaining and other legislative actions, I think is remiss as far as we are concerned.

The other point is that there seems to be no argument or quarrel with reference to giving the ratification to the collective bargaining contracts. I think that this is recognized by all of us. The State Constitution has mandated that we pass a public collective bargaining law, and pursuant to that, a public contracts have been worked out in the Legislature, have given credence to these contracts. But if this contract or these series of contracts are ratified, we would have an incongruous situation where perhaps about fifty civil service employees, spread throughout various departments, would be exceeding the department heads in their salaries. Moreover, at the University of Hawaii, there will be several hundred employees in the professorial ranks and in the administration who would be earning more than many of these department heads and these judges.

And, while we recognize the virtue of collective bargaining, and while we give credence and ratify these contracts, we must not overlook these other dedicated individuals who serve in very responsible positions in the various departments and judiciary and the other positions enumerated in S.B. No. 1645."

Representative Abercrombie then rose and stated:

"Mr. Speaker, I wasn't going to speak on this amendment either but it seems one thing leads to another. But I'll be God-damned if I'm gonna stand down here and let the . . ."

Representative Soares then stood on a point of order.

Representative Abercrombie continued:

"You can sit down, Buddy, and relax. . . ."

Representative Garcia then rose

and stated:

"Point of order, Mr. Speaker. Is the speaker speaking in favor or against the amendment?"

Chair then stated:

"May I have some order and decorum on this floor?"

Representative Abercrombie then continued:

"I'm speaking against the amendment, but I think it ought to be made clear, here, when you start talking about collective bargaining, each and every unit gets to collectively bargain with the governor of this State and the governor of this State has the responsibility to each and everyone of the thirteen units, and I'm not gonna see the working people of this State divided against one another because one unit has its own particular needs and the kind of money that comes in as a result of those particular needs is negotiated and anybody stand up and try to put them against one another.

Nobody's gonna stand up in here and get away with saying that the professors, professorial ranks, are making such and such kind of money and compare it with anybody else in here in unsworn fashion. Now, it just so happens that the professors at the University that are being spoken about by the last speaker are in a situation with many, many years of service, with many degrees to their credit, have brought millions of dollars worth of grants into this State, have credited themselves in this University in a world-wide fashion.

Now, the fact of the matter is that many of the management people don't deserve the money they are getting, where the working people do. Now, as far as I am concerned, I am separating management from labor and what labor has collectively bargained for, they're entitled to get. Now, when you start trying to run in management so that you piggy-back off the sweat of labor, then I'm gonna be against it.

Now, I'm speaking against this amendment because I have my feelings about the judiciary side too - under the same degree as perhaps some of the other people here. But when we start making arguments for and against amendments, don't anybody stand up and try to divide

the working people one from another and try to slip management and try to make them one happy family. The day you get rid of finance capital in this State and how it runs things, then maybe we can do it, but until that hellion day takes place, it's labor against management, and don't make any mistake about it."

The motion was put by the Chair and carried, and the amendment failed by a vote of 16 ayes to 33 noes, with Representatives Abercrombie, Akizaki, Blair, Cayetano, Garcia, Ho, Inaba, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Lee, Lunasco, Machida, Mizuguchi, Morioka, Naito, Oda, Peters, Roehrig, Sakima, Segawa, Shito, Stanley, Suwa, Takamine, Takamura, Uechi, Yamada, Yap, Yuen and Wakatsuki voting no, and Representatives Kunimura and Ushijima being excused.

Representative Abercrombie then offered the following amendment to S.B. No. 1645, SD 1, HD 1:

"SECTION 1 Senate Bill 1645, S.D. 1, H.D. 1, is amended by adding a new section 19A to page 14, to read as follows:

'SECTION 19A. The salary increases provided by this Act for department heads, first and second deputies to department heads, executive officers, and the administrative director shall not be applicable to persons not career civil servants at the time of their appointments to such positions. A career civil servant for the purposes of this section, shall mean a person employed by the State as a regular or appointive employee for at least ten years prior to the appointment to the position currently held as specified in this section.'

At 9:46 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 9:58 o'clock p.m., Representative moved that the amendment be adopted, seconded by Representative Ho.

The Chair then made the following statement:

"The Chair, at this time, will not request, but will demand that proper language be used on this floor at all times and that proper

decorum and parliamentary procedure be followed."

Representative Cayetano then rose and stated:

"Mr. Speaker, I rise to speak in favor of the amendment.

Mr. Speaker, let us, first of all, make clear that most of us here are not against the collective bargaining pay raise. Those have been thrashed out on the bargaining table, through hard hours of bargaining. We have no quarrel there.

But, as the previous speaker pointed out, Mr. Speaker, the question is the manner in which the appointive pay raises have been tied into the collective bargaining pay raise. Mr. Speaker, in my opinion, the issue is more, as a previous speaker pointed out, than whether all of the government employees covered under this bill deserve a pay raise. That, Mr. Speaker, is not the issue. The issue is a philosophical question, which I think in this time of open government, Mr. Speaker, is proper. The question, Mr. Speaker, is 'Is it proper to use a vehicle wherein we tie a non-controversial item, Mr. Speaker, the collective bargaining pay raise totalling millions of dollars, to a very controversial item, namely, the appointive position pay raise totalling maybe, perhaps, \$700,000?' In my opinion, it is not.

The reason for that, Mr. Speaker, is that each issue should be decided on its own merits. Each issue should be decided before the light and on the public forum. If, Mr. Speaker, the appointive position pay raises had been decided separately, there would have been many questions raised about it and if it survived and passed on its merits, fine. But are the proponents of this bill so afraid of public discussion? So afraid of a free and open discussion of the issues that they want to tie it to a non-controversial item such as the collective bargaining package to insure its passage? That is what's happening here.

Mr. Speaker, it has been said by previous speakers that some of the department heads are not making as much as their subordinates. Well, let me, first of all, explain what this amendment does. This amendment, Mr. Speaker, would affect only that portion of the bill which relates to salary increases for department heads, first and

second deputies to department heads, executive officers and the administrative director. Those positions, Mr. Speaker, are tied directly in to the elective position of governor. Now, as to the question of whether the person or the head of a department is demoralized because he makes less than his subordinates. I think, Mr. Speaker, the question we should pose to ourselves is, he knew what the pay was before he took the job - like many of us. And, also, Mr. Speaker, without going to the merits of whether he deserves the raise or not, the question is, 'Is this the proper time?' If the issues had been divided, Mr. Speaker, these were questions which could have been raised legitimately on the House floor and discussed fully, and perhaps, the pay raises would still pass on its own merits. But, unfortunately, those questions are now moot because we have a full package, a package in which we have mostly oranges, and we have a few apples, and I'm not sure, some of them might be rotten, but we're forced to buy the whole package.

So, Mr. Speaker, in advocating passage of this amendment, which I think, Mr. Speaker, is completely reasonable, consider it would have absolutely no affect on the well-earned pay raises for the various collective bargaining units. I think this body should consider that philosophical question; consider it in the light of recent announcements at the start of this session on open government and responsibility.

I predict, Mr. Speaker, if the bill passes as it stands right now, it will come back from conference with the governor's and lieutenant governor's pay raises stuck into it, and then we'll face a much tougher question: Do we want to vote down those pay raises and vote down the larger package of collective bargaining? I think, Mr. Speaker, that would be a very difficult question for most of us here to answer.

Thank you, Mr. Speaker."

Representative Abercrombie then rose and stated:

"Mr. Speaker, I think you'll notice all through this discussion that every speaker, when he

or she stands up, have to say that they are not against the collective bargaining increase, and I think this speaks right to the point of what the difficulty is here. Those contracts which have been negotiated in good faith are now being put on the line in order to try and get these department heads in.

Now, I'm perfectly willing to put my record before not only the public employees but any of the public needs as citizens and public employees as citizens when it comes to collective bargaining and public employees. But, this bill, unless this amendment is accepted, Mr. Speaker, and I'm speaking in favor of the amendment, puts collective bargaining negotiations and management together. I do not see them as the same; otherwise, we wouldn't have to have collective bargaining. The reason you have to have collective bargaining is because there's a boss and there's workers. And one thing that's been learned by a lot of white collar workers, and not only in this State but throughout the country, is just because you've got the white collar on doesn't mean that suddenly you've become a professional and not a worker. The teachers have had to learn that, the professors have had to learn that - the hard way. Nobody comes bearing gifts for professors; or instructors; nobody comes bearing any gifts because you've got the so-called white collar, blue collar. Oh, no!

What's happened in this country is the so-called blue collar, white collar have become merged - we no longer have a middle class and an upper class and a lower class. We've got an over class and an under class, is what we have in this country now. And, because of that, the people up on the management side are saying: 'Gee, we need our share too because we won't bargain for it like you have to do it, we're just gonna come down there and have it jammed with you guys.' That's what they have to say about it. Well, they're in the same thing. Anybody who earns more than \$20,000 in this country, right now, should thank God for his or her good fortune. What about the people making \$8,000, \$6,000, \$5,000? It's been said, Mr. Speaker, and said to me as recent as this afternoon, that unless the department heads', the officers', the deputies' salaries are raised, the people will be unable to bargain for higher salaries. In other words, we have

come to the point that you're going to have, not you, Mr. Speaker, but rather if this goes as it is and this rationale is utilized, that the only justification for one's own sweat is what the boss's pay is. You won't be able to justify it in and of yourself; you won't be able to justify what you do, your own work and on its own merits; but rather what the boss's salary is. I don't buy that. I don't believe for one single instant that what the head of the department of Land and Natural Resources or staff or the head of the Superintendent of Education to whomsoever his salary or her salary will affect what the person making \$8,000 to \$15,000 is going to get at all.

In this country, and at this time, those folks are gonna have to fight like dogs to get whatever they're going to get. And to bring management in at this level, at this time, is an unfair thing to do to those people.

Now, I would just like to reiterate one point that the previous speaker made, in closing. I, too, fear how this bill may come back if this amendment is not adopted. I have been told again, as recently as this afternoon; however, it might work. I can see. I'm not blind. The governor's salary, the lieutenant governor's salary could very easily be attached in this same kind of way, and some people would like to do that. Then the dilemma put before us as to whether we should sacrifice everything that's been done in collective bargaining in order to have the governor's salary go through.

Now, Mr. Speaker, I close with this. It's been made apparent that the judges' salaries have gone up. I understand that. I see that in this. We all know what that means in terms of the governor's salary and what the rationale will be. After that, it's little enough, it's going to be difficult enough, rather, to deal with that problem when it comes up vis a vis the governor and his salary. It's little enough to pass this amendment which at least puts on the record as saying that we're going to sacrifice working people, white collar and blue collar, in this State to the interest of upper level management.

Thank you."

Representative Suwa then rose to speak against the amendment, stating:

"As earlier as I stated in supporting the entire bill; likewise, if you want, before you use the amendment issue, read it carefully - you'd bring chaos in the executive level. Therefore, I ask the members to vote down the amendment."

Representative Poepoe then rose and stated:

"Mr. Speaker, I rise to speak against the amendment and I would like to congratulate my colleague on the other side of the aisle, the Chairman of the Energy and Transportation Committee. He hit it on the head! Each issue should stand on its own merits; therefore, the vote on our amendment is 'no'. It brings in a more jaundiced point of view. We cannot support it."

Representative Peters then rose and stated:

"I rise to speak in favor of this amendment.

If I may be candid for just a few moments, this serves as a warning to some of you that decided to play games. I realize that this particular bill, which serves as a vehicle to plug in all the respective components of government, more especially, their wage increases, it's a very underhanded way of dealing with units, in dealing with wages on the basis of merit. I concur. It also serves as a warning to the administration to do your homework. And, I hope that many of my colleagues will vote in favor of this amendment. And by doing so, represent the interest of this State. Do your homework."

Representative Takamura then rose and stated:

"I would just like to speak in favor of the amendment.

I think I'll just begin by re-emphasizing a point that Representative Cayetano mentioned previously. I think the point here is, really, all of the people mentioned in this bill do merit the raises. I know one of my main concerns is the fact that the raises for the particular people or group of people mentioned in the amendment, as presented here today. . . I think the raises that we're talking about are way

out of line and we're talking about raises that go up as high as 70%; and, I think, that's one of the concerns here that we are trying to address ourselves to in this amendment. Thank you."

The motion was put by the Chair and carried, and the amendment failed by a roll call vote of 8 ayes to 42 noes, with Representatives Ajifu, Akizaki, Amaral, Carroll, Clarke, Evans, Fong, Garcia, Hakoda, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Oda, Poepoe, Roehrig, Sakima, Santos, Segawa, Shito, Soares, Stanley, Sutton, Suwa, Takamine, Uechi, Yamada, Yap, Yuen and Wakatsuki voting no, and Representative Ushijima being excused.

At 10:14 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:25 o'clock p.m.

Representative Abercrombie then offered the following amendment to S.B. No. 1645, SD 1, HD 1:

"SECTION 1. Senate Bill 1645, S.D. 1, H.D. 1, is amended in the following ways:

1. By amending lines 20 to 22 of page 2 to read:

'salary shall be not less than (\$29,275) \$31,600 nor more than (\$33,275) \$36,100 a year.'

2. By amending lines 5 to 7 of page 3 to read:

'salaries shall be not less than (\$26,250) \$28,500 nor more than (\$30,250) \$32,800 a year.'

3. By amending lines 9 to 11 of page 3 to read:

'general shall be not less than (\$26,250) \$28,500 nor more than (\$30,250) \$32,800 a year. If the maximum rate'

4. By amending lines 21 to 23 of page 3 to read:

'(be more than) eighty-five percent of the director's salary. The salaries of second deputies or second assistants shall be increased

by eight and one-half percent.'

5. By amending line 7 of page 4 to read:

'(\$26,250) \$28,500 nor more than (\$30,250) \$32,800 a year.'

6. By amending lines 13 to 16 of page 4 to read:

'less than \$13,000 a year. The salary of the first deputy sheriff shall be set by the attorney general and shall not be more than eighty-five percent of the salary of the sheriff.'

7. By amending lines 6 to 8 of page 5 to read:

'the salary of the federal programs coordinator shall be (\$18,150) \$19,700 a year. The coordinator shall appoint'

8. By amending lines 17 to 18 of page 6 to read:

'shall be paid a salary (at the rate of ninety-five percent of the salary of a circuit court judge.) of \$31,180 a year. Each of the'

9. By amending lines 19 to 22 of page 8 to read:

'by the governor and shall not be more than the salary of first deputies or first assistants to department heads as prescribed by section 26-53. The coordinator shall be included in any benefit program'

10. By amending lines 9 to 11 of page 9 to read:

'salary shall be not less than (\$26,000) \$28,200 nor more than (eighty-five percent of the salary of the superintendent of education.) \$30,700 a year.'

11. By amending lines 18 to 21 of page 9 to read:

'determine the salary of the executive director which shall not be more than eighty-five percent of the salary of the director of regulatory agencies.'

12. By amending lines 18 to 19 of page 10 to read:

'of the board shall be paid a salary (at the rate of ninety-five percent of the salary of a circuit court judge.) of \$31,180 a year. Each'

13. By amending lines 13 to 15 of page 11 to read:

'not more than ninety percent of the commissioner's salary, and shall possess all powers and perform all'

14. By amending lines 6 to 9 of page 12 to read:

'commissioner shall receive an annual salary which shall be ninety-five percent of the salary of the director of regulatory agencies.'

15. By amending lines 13 to 15 of page 12 to read:

'of the office of consumer protection shall (receive a salary of \$25,000.) be \$27,150 a year. The director and'

16. By amending lines 3 to 4 of page 13 to read:

'shall be (\$25,000.) \$27,150 a year.'

17. By amending line 6 of page 15 to read:

'of the State shall be (eighty) eighty-five percent of the compensation of a'

18. By amending lines 19 to 20 of page 15 to read:

'(\$22,670) \$24,600 a year. He shall, subject to the'

19. By amending lines 3 to 8 of page 16 to read:

'the supreme court shall be (\$33,880) \$37,725 a year and the compensation of the associate justices of the supreme court shall be (\$32,670) \$36,428 a year.'

20. By amending lines 13 to 16 of page 16 to read:

'various circuit courts of the State shall be (\$30,250) \$33,820 a year.'

21. By amending line 21 of page 16 to read:

'State shall be (eighty) eighty-five percent of the compensation of a'

22. By adding a new section to page 17, beginning at line 8, to read:

'SECTION 25A. Salary increases given to judges, justices, and

the chief justice by this Act shall be effective only to the extent that no judge, justice, or the chief justice shall be compensated at a rate not to exceed ninety-five per cent of the salary of the governor, any other law to the contrary notwithstanding.'

23. By amending lines 7 to 8 of page 18 to read:

'the salary shall not be less than (\$15,566) \$16,900 nor more than (\$19,566) \$21,200 a year. The salary of the assistant revisor'

24. By amending lines 16 to 19 of page 18 to read:

'(Effective July 1, 1970 the) The salary shall be (the same as the salary of circuit court judges.) \$32,800 a year.'

25. By amending lines 22 to 23 of page 18 to read:

'The salary of the director shall be (the same as the salary of the circuit court judges.) \$32,800 a year.'

26. By amending lines 1 to 2 of page 19 to read:

'The compensation'

27. By amending lines 11 to 14 of page 19 to read:

'salary of the ombudsman shall be (the same as the salary of the circuit court judges.) \$32,800 a year. The compensation of the ombudsman'

28. By amending lines 4 to 6 of page 20 to read:

'assistant's salary shall not exceed the percentage limitation established by law for a deputy director of a department. The ombudsman and his''

At 10:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 10:46 o'clock p.m., Representative Abercrombie moved that the amendment be adopted, seconded by Representative Ho.

Representative Abercrombie then rose to speak on the amendment, stating:

"I believe this amendment will

meet the objections of the House. It does three things, principally: it reduces the salary of the judges by 50%; it makes sure that the salary of any official is no more than 95% of that of the governor; and most importantly, Mr. Speaker, in bowing to the will of what I think is the great majority here, it limits the raises for all the others to 8.5% of their current salaries.

Now, Mr. Speaker, no working person in this State who has a one year contract, to my knowledge, has gained more than 8.5%. The 8.5% is the figure that is utilized for the other people in the bill - the Legislative Reference Bureau, and in our permanent full-time staff, and it seems to me that when you already have a salary of near \$30,000, at 8.5% of \$30,000, is a great deal more money than 8.5% of \$8,000 or \$10,000 or \$12,000.

So, if the concern is to raise the salaries of the department heads, I think that the 8.5% that every other working man and woman in the State now has achieved within the recent bargaining, is a fair and equitable solution to the problem.

Thank you."

Representative Cobb then rose to speak in favor of the amendment, stating:

"After reading the amendment, the 8.5% limit is applied to management personnel only who are excluded from collective bargaining, because there may be some other kinds; in fact, I am pretty sure there are, at the University where, because of the fact that they have not had a salary increase for several years, would be getting somewhat more than that if they amortized it on an annual basis, but the 8.5% is to apply to the administrators. When we consider the effect of this - we can take one of the examples in Part 4 of the bill; namely, the revisor of statutes. Under the proposed bill, his salary would go from a low of \$15,500 to a high of \$32,370 - an increase of \$16,800 or 108%. The amendment would limit that, instead, to 8.5%, which would raise his salary from a low of \$16,900 to a high of \$21,200. When we consider the hard facts, the economic reality of our present condition today, I think this kind of limitation is justified; in fact,

needed.

I also cannot accept the argument that any employer or department head must make more than the people who work for him. We legislators get \$12,000 a year. We have a number of people who work for us who get considerably more. In some cases, two times more, or more than twice more.

Finally, Mr. Speaker, this amendment takes into account the need for some kind of increase in judicial salaries, but it accomplishes the goal of limiting those increases so that they will not go above what the governor makes. As a result, I think this amendment is fair, reasonable, justified in light of economic conditions today and I want to urge everyone to support it.

Thank you."

The motion was put by the Chair and carried, and the amendment failed by a roll call vote of 16 ayes to 34 noes, with Representatives Akizaki, Blair, Carroll, Clarke, Evans, Fong, Garcia, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Lee, Lunasco, Machida, Mizuguchi, Morioka, Oda, Roehrig, Sakima, Segawa, Shito, Soares, Stanley, Suwa, Takamine, Uechi, Yamada, Yap, Yuen and Wakatsuki voting no, and Representative Ushijima being excused.

Representative Ajifu then rose and stated:

"Mr. Speaker, inasmuch as I am committed to support the collective bargaining contracts, I regret to say that I will vote against Senate Bill 1645, SD 1, HD 1 in the present form.

Mr. Speaker, when the collective bargaining law was first passed, the Legislature, in its statement of findings, declared that it is the public policy of the State to promote harmonious and cooperative relations between government and its employees and to protect the public by assuring effective and orderly operations of government. These policies are best effectuated by recognizing the right of public employees to organize for the purpose of collective bargaining; requiring the public employees to negotiate with and enter into written agreements with exclusive representatives on matters of wages, hours and other terms and conditions of employment, while

at the same time, maintaining merit principles.

Mr. Speaker, all of the bargaining units have diligently worked towards a good and equitable consummation of a contract and now this measure, again, I say, piggy-backs on the hard work of all of the bargaining units; and, therefore, Mr. Speaker, I ask that all members of this body vote against this measure and let each one of these subjects stand on its own merit.

Thank you, Mr. Speaker."

At 10:56 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:04 o'clock p.m.

Representative Kunimura then rose on a point of personal privilege and stated:

"My complaint is about the great speed at which we are doing business here. This has caused me, Mr. Speaker, grievous nights in my sleep. Last night, I had a dream and I would like to share my dream with this honorable body. May I proceed, Mr. Speaker?"

The Chair "so ordered."

Representative Kunimura proceeded, stating:

"Last night, I dreamed that I was at the zoo, and lo and behold, there were two animals at the zoo giving birth - one was a donkey and the other an elephant. I put my money and all I had on the donkey because the donkey was much smaller. But, to my amazement, the elephant did her business with great speed while the donkey labored on and on. And, the donkey, Mr. Speaker, in common language, you call it the jackass, and that is the standard bearer of the Democratic Party, and I hope that maybe we have to change our standard bearer to some other animal so that this House can conduct its business. We've passed, Mr. Speaker, 2, 4, 5, 6, 7, 8 bills in about almost four and one-half hours, about four hours, now. Maybe we have to try the elephant. Maybe they can do a better job."

The Chair replied:

"It's the democratic process."

Representative Kamalii then rose and stated:

"Mr. Speaker, I rise to speak against Senate Bill 1645, Senate Draft 1, House Draft 1. As I stand in this Chamber, I am disheartened to speak against a measure that includes the results of many months of proper negotiations between labor and administration. I am for these collective bargaining contracts of the teachers, the nurses, the University of Hawaii faculty, and other State employees. But because of the folly of some members of this House who insisted on linking other parity raises with this bill, I must vote no on this bill.

I am disgusted with the tactics that led to this amended bill; tactics that were without any consideration to the voting public. These are times of inflation, high unemployment and an acute shortage of housing for our State's residents. When the voters who elected us to these Chambers last election are constantly watching their earnings disappear through a loss of buying power, some members of this body have the audacity to amend this collective bargaining bill from the Senate with wholly unreasonable pay raises for many of the State's already top-paid employees.

Mr. Speaker, we, as elected officials, should be the first in this State to set examples of leadership and integrity. By amending this perfectly acceptable bill to include pay raises that were killed by the Senate because of the public uproar after their proposal, is not the example of leadership and integrity I would want to take back to my constituents!

Mr. Speaker, I have said I am in favor of collective bargaining. However, I am repelled by the labor leaders of this State who have allowed this bill which provides for the pay raises of their people which was fairly won through collective bargaining to be used as a tool to increase some officials' salaries up to 78 percent. Will this mean a raise for the governor to \$65,000?

And then, when I hear labor leaders in the halls of this Capitol speaking as if it was all a joke; one labor leader recently said, 'The higher we push department heads' salaries and officials' salaries, the higher

the demands for our people the next time.'

Legislators who follow this piggy-backing are shirking their responsibility to the public by not demanding public hearings on a bill clearly defined as a pay raise measure.

Mr. Speaker, the people of Hawaii have said no to these pay raises that are not in collective bargaining, and I agree. I urge all members of this body to vote no on this bill.

Thank you, Mr. Speaker."

Representative Takamura then rose and stated:

"I rise to speak in favor of S.B. No. 1645.

It's my feeling, I think, that some of us here have tried to make an attempt, through the processes that are available, to try to amend the bill and take care of those concerns that we felt needed to be taken care of. I would say, to some extent, it seems to be somewhat of a suicidal course, but I think in the long run what we have to say is that, for myself, I know my concern is for the welfare of the majority of the people contained in this bill. And although I have, I would agree with some of the accounts made by previous speakers, some serious reservations about the bill itself, I personally cannot find it within myself to hurt, I think, the people that sincerely have participated and really need, I think, the kind of pay raises that are being called for within the bill itself. Therefore, I, too, urge the members of this House to vote for S.B. No. 1645."

Representative Evans then rose and stated:

"Mr. Speaker, I rise to speak against S.B. 1645, SD 1, HD 1. I am very much against the slipshod manner in which it has been presented to us.

The fact is, the public did not receive adequate notice of the hearing. Where is our open government, Mr. Speaker, that you spoke of on opening day?

I believe in the collective bargain-

ing process, and I believe in helping the little guy. The collective bargaining bill, in its unadulterated state, provided benefits and increases which would help the little guy. We are now faced with a bill that, in my opinion, would jeopardize the whole collective bargaining process.

Even though we have a comprehensive State budget, many programs dealing with education and health were eliminated because we were told there might be a possible deficit. And, now, like some 'wondrous magic', we have the funds to give exhorbitant pay raises to those who serve the people.

The funds for these raises should be transferred to those programs in education which need more funding. We should bring the staffing in our schools to a better than adequate level - and that is from principals, vice-principals down to our custodians.

I was not elected to deceive the people but, rather, to bring to them an honest and open government. There are some here tonight who have failed this mission and I question their integrity as leaders of the people.

Thank you, Mr. Speaker."

The Chair, at this time, stated:

"The Chair request that the audience exercise due caution in decorum."

Representative Sutton then rose and stated:

"Mr. Speaker, I rise to speak against S.B. 1645, SD 1, HD 1.

Abraham Lincoln, in 1858, was faced with a similar type of legislation where the subject matter was tied into a rider. He said that even though he believed in the main bill, the mere fact of the rider destroyed the legislative intent and he could not be a party to a 'pig in a poke'. Tonight we must remember the words of Abraham Lincoln.

The pay raises for State officials would go into effect July 1, and six months later, there would be another increment. The deputy department heads, doing a job comparable to what the ordinary person does of a rank of Lt. Col in the Marines, would get \$14,000 more; namely, \$33,150.

The salary of the governor's administrative director would go up to \$40,000. The salary of the Hawaii Employment Relations Appeals Board Chairman would go to \$44,000. I have given you just a few examples of the effect of these exorbitant pay raises.

I have had the privilege of making a study of ten states the size of Hawaii in population, and find that these pay raises would mean that Hawaii would be 50 percent higher than the weighted average of those ten states.

In private industry, we have made comparisons and, admittedly, in private industry, there are certain fringe benefits that are not comparable. But looking at the job description and responsibility of the government jobs, we find that these pay raises would raise them some twenty-five percent to thirty percent above comparable jobs in private industry.

The State of Hawaii today, Mr. Speaker, has the highest unemployment rate in its history since the depression. It is listed by the federal government as a critical area. How can we, Mr. Speaker, in all good conscience, pay the extravagant salaries in this proposal with an unemployment rate of such extreme proportions?

It is time for us, Mr. Speaker, to consider the ordinary citizen whose cost of living has risen to astronomical levels with the inflation that has made his dollar shrink 40 percent of what it was fifteen years ago.

Once the level of the department heads has reached the level of this bill, the entire structure of the bill will be to have additional raises. Essentially, this would force a tax increase. They have given us, Mr. Speaker, a plum pudding with so many ingredients that we cannot digest it."

Representative Abercrombie then rose to speak in favor of the bill, stating:

"I do not believe, Mr. Speaker, that the intent of the main bill is destroyed by the additions that have been made. That is to say, my concern is that of Representative Takamura, that

the overall majority of the people that are to be served by the original bill are still in need of that service, and it's very important that they be protected now so that they may not be jeopardized. So, therefore, I will vote for it. I believe we have done our best with the amendments that were offered; indicating our concern as to the amounts of money that were involved. The will has been expressed, and so now, it's incumbent upon us to defend ourselves, as we might, as we may, and not take any chances, at this time, for those people who have labored long and with great difficulty to achieve the goals that they set for themselves in terms of wages and hours and conditions. Mr. Speaker, that these people and the work that they've done not be jeopardized, therefore, I will vote for the bill and ask for its support."

Representative Akizaki then rose and stated:

"Mr. Speaker, I rise to speak on this measure with a great deal of reservation and mixed emotions. I am particularly concerned with one unit which is Unit 5, HSTA.

As you may recall, on the opening day of this session, I spoke against the pay raise for teachers for many reasons. Now, I think it would be appropriate to say a few words.

My chief concern was to hold off the teacher's pay raise for the next two years in order to channel that money for other needed positions and services. In this time of economic recession and a 7 percent unemployment rate, we can better set our priorities and create new jobs for the unemployed teachers in our State and ease the unemployment situation.

Presently, we have a surplus of over 3,000 qualified, creative, and unemployed teachers who are eager to utilize their talents and training but are unable to get into the teaching profession. I sincerely feel that the 28 million dollars can be spent for these 'unemployed teachers' on a yearly contract to support the areas that need help.

When I spoke against the teachers, I had to take the profession as a whole because I could not segregate the competent and dedicated teachers from the incompetent. I sincerely believe there are many dedicated teachers, to whom I apologize, if they misunderstood my intent or

remarks.

When I was first elected in 1962, Governor Burns said in his inaugural speech, 'if money versus the child, the child comes first.' I think we should have considered the child's needs and how we could have met these needs.

Mr. Speaker, I would like to comment on the situation and benefits of our school teachers in Hawaii. According to the latest statistics, in 1973, Hawaii's teachers made an average of \$11,000 which was rated number 8 in the nation. Presently, our teacher's average pay is \$13,949. With this new contract, they will make an average of \$15,000 for 180 days and probably will be within the top 6 in the nation. Hawaii's highest paid public school teacher will receive \$21,760 a year, while the lowest paid teacher will receive \$9,340.

Many unions work on an 8 hour, 40 hour a week basis. Teachers work 7 hours, 35 hours a week, but that is deceiving if one looks very carefully at the contract. The actual instructional time is only 4.7 hours a day in the elementary level or 23.5 hours per week. In the secondary level, it is 4.2 hours a day or 21.4 hours per week.

The teachers are allowed 18 days of sick leave per year and they may accumulate that leave without any limits. These 18 days include the very innovative 'personal leave with pay' which can be used for personal business that can be transacted only during school hours. In this regard, for the 1973-74 school year, 93,000 man days were lost for sick leaves, costing the taxpayers an additional \$2,500,000 for substitute teachers. This 93,000 man days breaks down into an average of 10 days sick leave taken for each teacher in our system. The total weekday holidays and vacations in the 1974-75 schedule is 83 days or roughly 4 months a year.

There is also one day's leave with pay per year to attend teachers' institute day. Why is this institute day held on a regular school day, taking the students away from their classrooms? How does one evaluate the value of these institutes when the attendance of teachers was approximately

46 percent. What happened to the rest of the teachers on that day?

We had 1,018 students in the secondary level dropping out for the 1973-74 school year. Were they 'turned off' with our public school system? Were some of them labeled 'problem' children or 'slow learners' and left to fall farther back each school year? More important, there are teachers who are not communicating and, ignoring the needs of students, suppressing even more their potential desire to learn. Recently, a student wrote to the editor of the Advertiser and expressed her dissatisfaction with the educational system. She is not a problem child. She is an honor student, successful academically and socially. If a 'good' student is dissatisfied, doesn't it make you wonder what is wrong with our educational process?

Unfortunately, the taxpayers are being led to believe that 'quality education' is a result of higher salaries. My definition of 'quality education' is very simple - 'dedication, and instilling in the child the desire to learn'. I believe there are many teachers who can give this quality education now. They have the ability and the sensitivity to relate to students. They understand the needs of our young people, and they recognize and respect every student as an individual. These are the teachers who deserve a pay raise. I sincerely apologize to them.

Mr. Speaker, the students of our State deserve the best public instructional system we can provide them. In order to achieve this, it is vital that we develop an effective teacher evaluation system. It has been two years since the Legislative Auditor concluded and reported that, in practice, the DOE does not have an effective system for evaluation and accountability. The Department promised corrective action, but we have yet to see any results or even the slightest movement in the direction of improvements. I shall continue to press for improvements for an effective evaluation system which would strive to improve the quality of our teachers' sensitivity and skills to be with our children. I suggest to the Hawaii State Teacher's Association to consider a more effective evaluation system for the sake of our children. There are teachers today who give the teaching profession a very low profile. Shouldn't we be concerned about purchasing educational excellence for our students instead of pursuing to be the nation's top paying teachers, of which we are close to?

In closing, Mr. Speaker, unfortunately, for me, the pay raise agreements of 28 million dollars for teachers have been packaged with other collective bargaining agreements. It is very difficult for me to vote against certain units which I sincerely believe need our help. I am in conflict and am torn between the deserving and undeserving and I apologize to those deserving persons.

Mr. Speaker, in response to my stand, the silent majority did not remain silent. From many parts of our State concerned parents, students, retired teachers, substitute teachers and teachers, yes, teachers themselves have contacted me reinforcing my belief that I am representing many people of our State.

How can I turn my back and ignore my own personal beliefs and values in which I so strongly believe? Am I to turn my back on those who have said to me, 'enough is enough, it's about time someone has taken a firm stand'. Therefore, Mr. Speaker, in all clear conscience, I cannot and will not vote for this bill.

Thank you, Mr. Speaker."

Representative Roehrig then rose and stated:

"I'm going to vote for this bill, but I would hope that the governor would hear what we've said tonight; that the leaders of various government associations will hear what we said tonight; the department heads and their deputies and the career civil servants will hear what we say tonight. And, I hope that they will understand that we aren't entirely satisfied with the performance of some of the chief administrators in the State departments. We aren't satisfied with the performance of some of the department heads. We aren't satisfied with some of the deputies and we aren't satisfied with the performance of some of the career civil servants who are division heads and who have become, in effect, what some members of this Legislature have called, dead wood, that came along with the past administration and have not been changed. Some of that have some legal implications. Perhaps the law should be looked at in this area.

I think, by passing this bill, we are providing salary scales that are realistic and we're going to expect performance from these people who are the beneficiaries of our efforts. So, when we have testimony by the various departments, they darn well better do their homework from now on. This year, we can excuse them because they came in green. But some of our major departments that affect the lives of people in this State, have come up short as far as what they have provided us by way of background, by way of legislation, and by way of sending even the department heads to our hearings this year. So, this is a mixed bag, and I hope that those that are going to get the goodie bags will make sure that they consider well the remarks this evening.

Thank you."

Representative Santos then rose and stated:

"Mr. Speaker, I rise with mixed emotions to speak in favor of Senate Bill 1645, SD 1, HD 1. As a former charter director of the Hawaii State Teachers' Association, I am in full support of the bill which provides the necessary funds to cover all the negotiated collective bargaining contracts. I am also fully supportive of pay increases for substitute teachers.

However, it disturbs me to see that this bill, in its present amended form, has also become a vehicle to increase the pay of our department heads and their deputies, our judges, our Legislative employees, and all others not covered by the State's collective bargaining law. I am not opposed to salary increases for these employees, but I feel that these increases should have been allowed to stand on their own merits and not be attached to another bill for passage.

The various collective bargaining units have negotiated their contracts in good faith; and for this reason alone, I must vote aye on Senate Bill 1645, SD 1, HD 1, and I encourage the members of this honorable body to vote likewise.

Thank you, Mr. Speaker."

Representative Amaral then rose and stated:

"Mr. Speaker, fellow colleagues, I wish to speak for the bill in question.

I am readily in favor of it, but certain implications contained within it concern me very much. I am referring to the provisions that have been referred to time and time again tonight, and that is the raises and salaries for judges, department heads and legislative staff.

My first concern is that the public has not been given a chance to give these salary increases the proper attention they deserve, as far as I know. No public hearing was called and no one got a chance to air their views. The public was not given an opportunity to learn that the present \$30,250 salaries of most of our department heads will, under this bill, be increased to \$39,000 by the first of next year, a total increase of almost \$9,000 in six months. And they were also not given a chance to know that the Chairman of the Labor and Industrial Relations Appeals Board, for instance, will receive a raise from the present \$28,738 to some \$43,970 by the first of the year, an increase of over \$15,000 in six months.

Our government is upheld by the integrity of procedures designed to give the people a voice in matters for which they will bear the burden, and to push through these pay increases now seems to me a gross violation of that principle.

My second concern is that, given the grave financial condition of our country and State, I do not see how some of these increases are warranted at this time.

I hope, then, that the conference committee, in its wisdom, will see fit to make adjustments to Parts II, III, and IV of the bill, modifying them to suit the realities and needs before us.

Thank you."

Representative Ikeda then rose to speak in favor of the bill, stating:

"Like my Republican colleagues, I feel very strongly that the collective bargaining contracts should be separated from these other pay increases. But since they aren't, I must vote in favor of this bill because I can't see jeopardizing those pay increases which are justified.

Faculty at the University, for

example, have suffered for five years without pay increases. I made a commitment to support these people and I feel that I must honor that commitment in spite of the fact that there are many very distasteful elements in this bill. I have agonized over this decision, but a commitment is a commitment. The collective bargaining contracts must be honored and so I must reluctantly vote in favor of this bill.

Thank you."

Representative Soares then stood and stated:

"Mr. Speaker, I rise to speak against S.B. 1645, SD 1, HD 1. In light of the Finance Committee's decision to retain the pay raises for the State's department heads and judges in Senate Bill 1645, SD 1, HD 1, I must vote against this bill.

My decision to oppose this bill was a very difficult one, always having favored the concept of collective bargaining. Mr. Speaker, I voted for the original collective bargaining bill and have been greatly impressed by the law's success. My 'no' vote should not be construed to mean that I have changed my stand on collective bargaining. I feel all the parties involved in the collective bargaining contracts under consideration in Senate Bill 1645, SD 1, HD 1, have negotiated in good faith and that the members of all units deserve pay raises. However, Mr. Speaker, the proposal to increase the pay of department heads and judges is not a collective bargaining issue and should not be included in this bill. These pay raises should be judged on their own merits through the procedure that all proposed bills must go.

Mr. Speaker, I have already taken a position against granting pay raises to these administrators and judges at this present time due to the cloudy financial picture in the future, and I believe that I must vote against the bill. I feel passage of this bill, in its current form, would set an extremely undesirable precedence. We cannot allow motherhood issues such as collective bargaining to be used as hostages to guarantee passage of other pieces of legislation. Therefore, Mr. Speaker, I urge all members of this honorable body to vote this measure down.

Thank you, Mr. Speaker."

Representative Cobb then rose and

stated:

"Mr. Speaker, I'm afraid agony is a rather common feeling in these chambers on this particular bill, because I would be speaking in favor of Part I, but against Parts II, III and IV. And, because of this 'pig in the poke' or piggy-backing type that has been used, I must address myself against the passage of S.B. No. 1645, SD 1, HD 1.

It is an almost sure thing that we will see this bill again, either in an amended form from the Senate, in conference committee or in the next election; the latter, I think, is even more certain.

What we have before us is a legitimate part involving collective bargaining and involved in a forced marriage with the totally illegitimate part that does a great deal to destroy collective bargaining. The entire collective bargaining law and the entire collective bargaining process is contained part and participle with negotiated increases averaging 7 and 9 percent, are unbelievably whopping increments for executives averaging 30 to 108 percent. The average for all of those in Parts II, III and IV of this bill is 60 percent.

Earlier, I had spoken in favor of an amendment that would have eliminated this kind of increase to 8.5 percent which I think would have been justified. But, in effect, as a previous speaker pointed out, the controversy has erupted over one-seventieth of this bill; and that seems like a very small amount until you consider that most of the language and most of the change in terms of percentage contained in this one part out of seventy; and consider, really, the cream of the crop - this is the case where we are saying to the little guy, you are going to have to take it and jeopardize the cost, risking loss of this bill and your hard-earned increases so that your boss can get his 60 percent plus.

Many statements have been made tonight in support of collective bargaining, and were Part I of this bill to stand alone, I would go out and lobby for it on behalf of those negotiated increases because I am in full support of the collective bargaining process. But, this, Mr. Speaker, is a perver-

sion of collective bargaining; by the piggy-back technique that so jeopardizes legitimate negotiated pay raises.

Mr. Speaker, either we have collective bargaining or we do not, and this process of piggy-backing completely undermines it. Unfortunately, Mr. Speaker, there will be no more hearing on this bill; quite literally, it will either be agreed to in the Senate or will be decided in conference committee. But people will not have a chance to testify in committee for or against any of the provisions now contained in this measure. But I hope we will, Mr. Speaker, hear from the people after the vote. It's such a shame we have not had a chance to hear from them in committee before passage."

The motion was put by the Chair and S.B. No. 1645, SD 1, HD 1 passed Third Reading by a vote of 40 ayes to 10 noes, with Representatives Ajifu, Akizaki, Carroll, Clarke, Cobb, Evans, Kamalii, Larsen, Soares and Sutton voting no, and Representative Ushijima being excused.

The Chair directed the Clerk to note that S.B. No. 1281 had passed Third Reading at 7:49 o'clock p.m.; S.B. No. 1215 at 7:50 o'clock p.m.; S.B. No. 1628 at 7:51 o'clock p.m.; S.B. No. 512 at 8:05 o'clock p.m.; S.B. Nos. 830 at 8:05 o'clock p.m.; S.B. Nos. 330, 1159 and 1303 at 8:10 o'clock p.m.; S.B. No. 950 at 9:11 o'clock p.m.; and S.B. No. 1645 at 11:43 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative Blair moved that the House reconsider its action on S.B. No. 42, SD 2, HD 1, seconded by Representative Kawakami and carried.

Representative Blair moved that the House request the Senate to return S.B. No. 42, SD 2, HD 1 for further consideration, seconded by Representative Kawakami and carried.

Representative Soares then rose on a point of order and stated:

"Will the Committee Chairman explain to our body what the action means on this bill so we'll have a record in the Journal why we're bringing it back?"

Representative Blair replied:

"We're bringing it back to make some changes in the bill."

Representative Soares then stated:

"Mr. Speaker, isn't it a fact that the bill went over with a title called, 'Coastline Management' rather than on 'Shoreline' bill and that is why we're bringing it back? Let's get the facts straight, Mr. Speaker."

Representative Blair then stated:

"That's the change, Mr. Speaker. There may, however, be additional

changes considered, and if we're now discussing announcements, I'd like to note that Water, Land Use, Development, and Hawaiian Homes and Environmental Protection will be meeting tomorrow at 9:30 to discuss this matter."

ADJOURNMENT

At 11:45 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 10:00 o'clock a.m. tomorrow, Wednesday, April 2, 1975.

FIFTY-THIRD DAY

Wednesday, April 2, 1975

The House of Representatives of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, was called to order at 10:00 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by Representative Sakima, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Lee and Wakatsuki, who were excused.

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

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 189 to 200) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 189) informing the House that the amendments proposed by the House to Senate Bill No. 960, SD 1, were agreed to by the Senate and said bill, as thus amended, passed Final Reading in the Senate on April 1, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 190) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 45 were agreed to by the Senate and said Concurrent Resolution, as thus amended, was Finally Adopted by the Senate on April 1, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 191) transmitting Senate Concurrent Resolution No. 93, SD 1, requesting that the Department of Education develop a unit of study on voter and citizen responsibility within the social studies curriculum, which was adopted by the Senate on April

1, 1975, was placed on file.

By unanimous consent, action on S.C.R. No. 93 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 192) transmitting Senate Concurrent Resolution No. 130 commending the Hawaii Advisory Council for the hearing impaired for its outstanding work, which was adopted by the Senate on April 1, 1975, was placed on file.

On motion by Representative Kimura, seconded by Representative Soares and carried, S.C.R. No. 130 was adopted.

A communication from the Senate (Sen. Com. No. 193) transmitting Senate Concurrent Resolution No. 131 commending the Commission on the Year 2000 for its experimental communities school project, which was adopted by the Senate on April 1, 1975, was placed on file.

On motion by Representative Kimura, seconded by Representative Soares and carried, S.C.R. No. 131 was adopted.

A communication from the Senate (Sen. Com. No. 194) returning House Concurrent Resolution No. 55, HD 1, which was adopted by the Senate on April 1, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 195) returning House Concurrent Resolution No. 72, HD 1, which was adopted by the Senate on April 1, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 196) returning House Concurrent Resolution No. 148 which was adopted by the Senate on April 1, 1975, was placed on file.

A communication from the Senate (Sen. Com. No. 197) returning House Concurrent Resolution No. 35 which was adopted by the Senate on April 1, 1975, in an amended form, was placed on file.

By unanimous consent, H.C.R. No. 35, as amended by the Senate, was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 198) returning House Bill No. 612, HD 1, which passed Third Reading in the Senate on April 1, 1975, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 199) returning House Bill No. 851, HD 1, which passed Third Reading in the Senate on April 1, 1975, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 200) returning House Bill No. 1572, HD 1, which passed Third Reading in the Senate on April 1, 1975, in an amended form, was placed on file.

By unanimous consent, H.B. Nos. 612, HD 1; 851, HD 1; and 1572, HD 1, as amended by the Senate, were placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 612, HD 1, SD 1; H.B. No. 851, HD 1, SD 1; and H.B. No. 1572, HD 1, SD 1, were made available to the members of the House at 10:00 o'clock a.m.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 31 to 34) were read by the Clerk and were disposed of as follows:

A communication from George C. Villegas, Director (Misc. Com. No. 31) acknowledging receipt of a certified copy of House Resolution No. 256, Regular Session of 1975, was placed on file.

A communication from the Honorable Patsy T. Mink, Member of Congress (Misc. Com. No. 32) acknowledging receipt of a certified copy of House Resolution No. 182, Regular Session of 1975, was placed on file.

A communication from John A. Logan, President, Rose-Hulman Institute of Technology (Misc. Com. No. 33) acknowledging receipt of a certified copy of House Resolution No. 606, Regular Session of 1975, was placed on file.

A communication from the Honorable Spark Matsunaga, Member of Congress (Misc. Com. No. 34) acknowledging receipt of a certified

copy of House Resolution No. 182, Regular Session of 1975, was placed on file.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares and carried, the rules were suspended for the purpose of permitting members to offer resolutions.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 769 and 770) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 769) congratulating the Kamehameha Schools students who participated in the University of Oregon's Forensic High School Tournament was jointly offered by Representatives Kimura, Poepoe, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Garcia, Hakoda, Ho, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Roehrig, Sakima, Santos, Segawa, Shito, Soares, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Kimura, seconded by Representative Poepoe and carried, H.R. No. 769 was adopted.

Representative Kimura then introduced to the members of the House Joanne Pa'alani, Sharlene Mar and Keli'i Akina. They were accompanied by Mrs. Judy Wise, Speech Instructor at Kamehameha Schools and coach of the student participants.

A resolution (H.R. No. 770) congratulating Aloha Week Hawaii, Incorporated, for their continued efforts on behalf of "Aloha Friday" was jointly offered by Representatives Wakatsuki, Ajifu, Akizaki, Amaral, Blair, Cayetano, Clarke, Evans, Fong, Garcia, Hakoda, Ho, Inaba, Kawakami, Kimura, Larsen, Medeiros, Morioka, Oda, Roehrig, Sutton, Suwa, Takamine, Takamura, Uechi and Yuen.

On motion by Representative Kawakami, seconded by Representative Morioka and carried, H.R. No. 770 was

adopted.

At this time, Representative Kunimura rose and stated:

"I have an oral amendment to offer if it's agreeable with the minority members and that is, 'Be it further resolved that duly certified copies be made available to the Speaker, Vice Speaker, Majority Floor Leader, and all those who refuse to comply with Aloha Friday'."

The Chair responded:

"Representative Kunimura, the Chair will take into serious consideration your amendment."

Representative Ushijima then introduced to the members of the House Mrs. Parker Widemann, President of Aloha Week Hawaii, Incorporated.

Representative Soares then rose and upon being recognized by the Chair, stated:

"Mr. Speaker, it is with great pleasure that we have Mrs. Widemann with us this morning. Many of us who served here for the past several years recognize her smiling face as she was Senator Porteus' long and loyal secretary and I think, in many cases, she ran the Senate President because she was beautiful, loved by all of her colleagues, and respected by all staff members that walk these halls. Mrs. Widemann has long been active and instrumental in our Republican party affairs, both as a real close adviser to most of us, and a guiding light to most of our women in our party. I happen to have the privilege of knowing Mrs. Widemann when I was six years old because her son and I went to school for six years together and I can say with authority that I have never met a more loveable woman, a more instrumental person, in my life. For many of us in the party and staff members still here--Sis, we love you and we are very happy to see you here this morning. Thank you, Mr. Speaker."

Representative Kunimura then remarked:

"May I add a little bit to that. I would like to say from the majority side of the aisle, that in 1955

when I first took office in the County of Kauai and came here in 1963, I would like to say that Mrs. Widemann's aloha had spread beyond party lines and her aloha was for all of the elected officers, and I thank you very much."

The Chair responded:

"Very well put, Representative Kunimura."

At 10:21 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 10:25 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Abercrombie and Lee.

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

Representative Sutton introduced Mr. Homer L. Winnagle from Warren, Ohio.

Representative Poepeo then introduced Sandy Young and Darryl Schultz from Kamehameha Schools.

Representative Cobb then introduced 14 Senior Citizens from the Aina Haina Hui Hauoli Senior Citizens' Group.

ORDER OF THE DAY

DEFERRED RESOLUTION

The following concurrent resolution (S.C.R. No. 93) was disposed of as follows:

S.C.R. No.	Referred to:
93	Committee on Education

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 737) informing the House that House Resolution No. 768, and Standing Committee Report Nos. 738 to 757, have been printed and distributed.

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

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 738) recommending that S.B. No. 332 pass Third Reading.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 739) recommending that S.B. No. 228, HD 2 pass Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 738 on S.B. No. 332 and Stand. Com. Rep. No. 739 on S.B. No. 228, HD 2, was deferred until tomorrow, April 3, 1975, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 332 and S.B. No. 228, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

At 10:35 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:43 o'clock p.m., the Speaker assumed the rostrum.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 201) informing the House that the Senate has favorably acted upon the request for the return of Senate Bill No. 42, SD 2, HD 1, and in accordance therewith, returned Senate Bill No. 42, SD 2, HD 1, to the House for further consideration, was read by the Clerk and was placed on file.

The Chair then referred Senate Bill No. 42, SD 2, HD 1, jointly to the Committees on Water, Land Use, Development, and Hawaiian Homes and Environmental Protection.

STANDING COMMITTEE REPORTS

Representative Roehrig, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 740) recommending that S.B. No. 1624 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the majority of the Committee was adopted and S.B. No. 1624, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 3, 1975.

Representative Roehrig, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 741) recommending that S.B. No. 514, SD 1, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Roehrig, seconded by Representative Uechi and carried, the report of the majority of the Committee was adopted and S.B. No. 514, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 3, 1975.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 742) recommending that S.B. No. 1676 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakima, seconded by Representative Takamura and carried, the report of the Committee was adopted and S.B. No. 1676 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 3, 1975.

The Chair directed the Clerk to note that printed copies of S.B. No. 1624, HD 1; S.B. No. 514, SD 1, HD 1; and S.B. No. 1676 were made available to the members of the House at 11:00 o'clock a.m.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 743) recommending that S.B. No. 335 pass Third Reading.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 744) recommending that S.B. No. 537 pass Third Reading.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 745) recommending that S.B. No. 534, SD 1, pass Third Reading.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 746) recommending that S.B. No. 1049, SD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 743 on S.B. No. 335; Stand. Com. Rep. No. 744 on S.B. No. 537; Stand. Com. Rep. No. 745 on S.B. No. 534, SD 1; and Stand. Com. Rep. No. 746 on S.B. No. 1049, SD 1, was deferred until tomorrow, April 3, 1975, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 335; S.B. No. 537; S.B. No. 534, SD 1; and S.B. No. 1049, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Takamura, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 747) recommending that H.R. No. 334 be referred to the Committee on Finance with certain amendments.

On motion by Representative Takamura, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 334, as amended, was referred to the Committee on Finance.

Representative Ho, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 748) recommending that S.B. No. 966 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Ho, seconded by Representative Abercrombie and carried, the report of the Committee was adopted and S.B. No. 966 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 3, 1975.

Representative Shito, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 749) recommending that S.B. No. 1543, SD 2, pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Shito, seconded by Representative Cayetano and carried, the report

of the majority of the Committee was adopted and S.B. No. 1543, SD 2, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 3, 1975.

Representative Shito, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 750) recommending that S.B. No. 1213 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Shito, seconded by Representative Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 1213, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 3, 1975.

The Chair directed the Clerk to note that printed copies of S.B. No. 966; S.B. No. 1543, SD 2, HD 1; and S.B. No. 1213, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Kawakami, for the Committee on Water, Land Use, Development, and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 751) recommending that S.C.R. No. 109 be referred to the Committee on Culture and the Arts with certain amendments.

On motion by Representative Kawakami, seconded by Representative Ho and carried, the report of the Committee was adopted and S.C.R. No. 109, as amended, was referred to the Committee on Culture and the Arts.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 752) recommending that S.B. No. 1046, SD 1, HD 1, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 753) recommending that S.B. No. 591, SD 2, HD 1, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 754) recommending that S.B. No. 1323, SD 1, HD 1, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No.

755) recommending that S.B. No. 1458 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 752 on S.B. No. 1046, SD 1, HD 1; Stand. Com. Rep. No. 753 on S.B. No. 591, SD 2, HD 1; Stand. Com. Rep. No. 754 on S.B. No. 1323, SD 1, HD 1; and Stand. Com. Rep. No. 755 on S.B. No. 1458 was deferred until tomorrow, April 3, 1975, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1046, SD 1, HD 1; S.B. No. 591, SD 2, HD 1; S.B. No. 1323, SD 1, HD 1; and S.B. No. 1458 were made available to the members of the House at 11:00 o'clock a.m.

Representative Sakima, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 756) recommending that S.B. No. 1732, SD 1, pass Second Reading and be referred to the Committee on Finance with certain amendments.

Representative Sakima moved that the report of the majority of the Committee be adopted and, notwithstanding the recommendation of the Committee that S.B. No. 1732, SD 1, as amended, pass Second Reading and be referred to the Committee on Finance, that S.B. No. 1732, SD 1, as amended, be placed on the calendar for Third Reading, seconded by Representative Takamura.

Representative Suwa then waived referral of S.B. No. 1732, SD 1, as amended, to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Suwa and carried, the report of the majority of the Committee was adopted and, notwithstanding the recommendation of the Committee that S.B. No. 1732, SD 1, as amended, pass Second Reading and be referred to the Committee on Finance, S.B. No. 1732, SD 1, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 3, 1975.

The Chair directed the Clerk to note that printed copies of S.B. No. 1732, SD 1, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

At 12:47 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:49 o'clock p.m.

Representative Roehrig, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 757) recommending that S.B. No. 1665, SD 2, pass Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 757 on S.B. No. 1665, S.D. 2, as amended, was deferred until tomorrow, April 3, 1975, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1665, SD 2, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 771 and 772) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 771) commending Sergeant Joseph Dart of the Hawaii County Police Department for his outstanding contributions to traffic safety and driver education was jointly offered by Representatives Takamine, Abercrombie, Ajifu, Akizaki, Amaral, Blair, Carroll, Cayetano, Clarke, Cobb, Evans, Fong, Garcia, Hakoda, Ho, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kimura, Kiyabu, Kondo, Kunimura, Larsen, Lee, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Naito, Oda, Peters, Poepoe, Roehrig, Sakima, Santos, Segawa, Shito, Soares, Stanley, Sutton, Suwa, Takamura, Uechi, Ushijima, Yamada, Yap, Yuen and Wakatsuki.

On motion by Representative Takamine, seconded by Representative Inaba and carried, H.R. No. 771 was adopted.

A resolution (H.R. No. 772) honoring the new President of Chaminade College, the Reverend Charles Lees was jointly offered by Representatives Hakoda, Ajifu, Clarke, Fong, Garcia, Ikeda, Larsen, Medeiros, Morioka, Poepoe, Sakima and Soares.

On motion by Representative Hakoda, seconded by Representative Morioka and carried, H.R. No. 772 was

adopted.

SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative Soares 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:

S.B. No. 516, SD 1, HD 1

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 516, SD 1, HD 1 passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Abercrombie and Sutton voting no.

S.B. No. 1212, SD 1, HD 1

Representative Roehrig moved that action on S.B. No. 1212, SD 1, HD 1 be deferred until tomorrow, April 3, 1975, and the Chair, noting that there were no objections, so ordered.

S.B. No. 1304

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 1304 passed Third Reading by a vote of 51 ayes.

S.B. No. 443

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 443 passed Third Reading by a vote of 51 ayes.

S.B. No. 327, SD 2

On motion by Representative

Roehrig, seconded by Representative Uechi, S.B. No. 327, SD 2 passed Third Reading by a vote of 51 ayes.

S.B. No. 1469, SD 1

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 1469, SD 1 passed Third Reading by a vote of 51 ayes.

S.B. No. 1133, SD 1

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 1133, SD 1 passed Third Reading by a vote of 51 ayes.

S.B. No. 527

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 527 passed Third Reading by a vote of 51 ayes.

S.B. No. 1158

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 1158 passed Third Reading by a vote of 51 ayes.

S.B. No. 977, SD 1

On motion by Representative Roehrig, seconded by Representative Uechi, S.B. No. 977, SD 1 passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 516 had passed Third Reading at 12:52 o'clock p.m.; S.B. Nos. 1304, 443 and 327 at 12:53 o'clock p.m.; S.B. Nos. 1469, 1133, 527 and 1158 at 12:54 o'clock p.m.; and S.B. No. 977 at 12:55 o'clock p.m.

ADJOURNMENT

At 12:56 o'clock p.m., on motion by Representative Kimura, seconded by Representative Soares and carried, the House of Representatives adjourned to 10:30 o'clock a.m. tomorrow, Thursday, April 3, 1975.