

## TWENTY-SEVENTH DAY

Friday, February 25, 1977

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Thomas B. Choo of St. Augustine Church, after which the Roll was called showing all members present with the exception of Representatives Aki, Inaba and Segawa, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Twenty-Sixth Day.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Sixth Day was approved.

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

Representative Baker introduced one hundred students from Pauoa Elementary School. They were accompanied by their teachers, Mrs. Chang, Ms. Jay, Mrs. Young, Mrs. Chuck and Mrs. Okawa.

Representative Medeiros introduced 25 second grade students from Enchanted Lakes Elementary School. They were accompanied by their teachers, Mrs. Gail Nakano and Mrs. Estelle Choy.

Representative Campbell introduced the chairmen of the State Voice of Democracy Contest, Mr. and Mrs. Baird, who were seated in the gallery.

Representative Peters introduced seventy-five students from Waianae Elementary School, who were accompanied by their teachers, Mrs. Jessie Lau, Mrs. Gaynor, Mrs. Yamashita and Mrs. Sueishi.

Representative Kunimura introduced two of Kauai County's government workers, Mr. Morita and Mr. Kurita.

Representative Shito introduced six students from the Lanakila Baptist High School.

## ORDER OF THE DAY

## COMMITTEE REFERRALS

The following Senate bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
122	Committee on Health
144	Committee on Consumer Protection and Commerce

## DEFERRED RESOLUTION

Senate Concurrent Resolution No. 67 was referred to the Committee on State General Planning.

## SUSPENSION OF RULES

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

## INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 400 and 401) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 400) congratulating David Lancaster for winning the 1977 Voice of Democracy Scholarship Contest was jointly offered by Representatives Campbell, Aki, Fong, Garcia, Kamalii, Machida, Medeiros, Mizuguchi, Shito, Takamine, Toguchi, Ushijima and Yuen.

On motion by Representative Campbell, seconded by Representative Garcia and carried, H.R. No. 400 was adopted.

Representative Campbell then made the following introduction:

"On behalf of Representative Garcia and myself, I am pleased to present to this body, David Lancaster, who is this year's winner of the Voice of Democracy Contest.

In addition to being one of the most outstanding students in this State, he is a member of the student body of one of the finest schools in this State, Farrington High School.

David will be going to Washington, as the resolution indicated. He will be leaving in March and will have an opportunity to win a \$10,000 scholarship to the college of his choice."

At this time, Representative Stanley presented the honoree with a lei and Representative Campell presented him with a certified copy of the resolution.

A resolution (H.R. No. 401) congratulating Mr. and Mrs. Richard K. Nishimura on their golden wedding anniversary was jointly offered by Representatives Segawa, Abercrombie, Ajifu, Aki, Cobb, Dods, Evans, Ikeda, Inaba, Kamalii, Kihano, Kiyabu, Kunimura, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Stanley, Sutton, Suwa, Takamine, Uechi, Ueoka, Uwayne, K. Yamada and Yuen.

On motion by Representative K. Yamada, seconded by Representative Takamine and carried, H.R. No. 401 was adopted.

Representative K. Yamada then rose and stated:

"Mr. Speaker, it is gratifying and it brings faith to all of us to see someone celebrating their 50th or golden wedding anniversary.

I suppose it also gives credibility to the sanctity of marriage, when one has been married for fifty years, in these days when we consider five years to be a long time.

So, with those words, Mr. Speaker, I would like to introduce 'Square' Nishimura to this honorable body."

Representative Stanley then presented Mr. Nishimura with a red carnation lei and Representative Takamine presented him with certified copies of the resolution.

Representative Cobb then rose and, upon being recognized, stated:

"Mr. Speaker, on behalf of many of us young people who also worked for the Kennedys in 1960, I would just like to add my personal observations, that while there were many young people working in the campaign, this wonderful man called 'Square' was younger at heart than any of us.

It's really good to see him again, in person. I just hope you can keep

track of all of us who were there. 'Square' it's good to see you again.

Thank you."

Representative Sutton then rose and stated:

"Mr. Speaker, I would like to join, also, vicariously through my wife who is a cousin of Mrs. Kennedy, and say 'hello' to 'Square'."

At 11:48 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 Vice Speaker assumed the rostrum.

#### STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 97) informing the House that House Bill Nos. 1542 to 1711, House Resolution Nos. 398 and 399, Standing Committee Report Nos. 96 and 98 to 118 have been printed and distributed.

On motion by Representative Lunasco, seconded by Representative Morioka and carried, the report of the Committee was adopted.

Representative Naito, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 98) recommending that H.R. No. 41, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Naito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.R. No. 41, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON FEASIBILITY OF ESTABLISHING AN AUTONOMOUS CORRECTIONS AGENCY", was referred to the Committee on Legislative Management.

Representative Naito, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 99) recommending that H.R. No. 24, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Naito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.R. No. 24, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE RELATIONSHIP AMONG VARIOUS GOVERNMENTAL AGENCIES IN PROVIDING SERVICES TO JUVENILES AT THE HAWAII YOUTH

CORRECTIONAL FACILITY", was referred to the Committee on Legislative Management.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 100) recommending that H.R. No. 78, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Shito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.R. No. 78, HD 1, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF COMMUNITY MENTAL HEALTH CENTERS", was referred to the Committee on Legislative Management.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 101) recommending that H.R. No. 80, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Shito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.R. No. 80, HD 1, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF THE IMPACT OF MEDICARE AND MEDICAID PROGRAMS ON HEALTH CARE SERVICES AND FACILITIES USAGE", was referred to the Committee on Legislative Management.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 102) recommending that H.R. No. 83, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Shito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.R. No. 83, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE IMMIGRANT HEALTH SERVICES PROGRAM", was referred to the Committee on Legislative Management.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 103) recommending that H.R. No. 85, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Shito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.R. No. 85, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE VECTOR CONTROL PROGRAM", was referred to the Committee on Legislative Management.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 104) recommending that H.R. No. 87, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Shito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.R. No. 87, HD 1, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF THE PROGRESS OF HEALTH PLANNING IN THE STATE OF HAWAII", was referred to the Committee on Legislative Management.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 105) recommending that H.B. No. 152, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Mina and carried, the report of the Committee was adopted and H.B. No. 152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 106) recommending that H.B. No. 511, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 511, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 107) recommending that H.B. No. 256, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 256, HD

1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 108) recommending that H.B. No. 249, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 249, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RAPE", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 109) recommending that H.B. No. 183 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 183, entitled: "A BILL FOR AN ACT RELATING TO JURY TRIALS WHEN THE STATE IS A PARTY TO LITIGATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 110) recommending that H.B. No. 471, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES LEFT UNATTENDED ON PRIVATE PROPERTY", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Garcia, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 111) recommending that H.B. No. 453, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the majority of the Committee was adopted and H.B. No. 453, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALCOHOL AND HIGHWAY SAFETY", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 112) recommending that H.B. No. 313, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 313, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 113) recommending that H.B. No. 447, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 447, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 114) recommending that H.B. No. 239, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 239, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TERRORISTIC THREATENING", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 115) recommending that H.B. No. 240, as amended in HD 1, pass Second Reading and

be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 240, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 116) recommending that H.B. No. 263 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 263, entitled: "A BILL FOR AN ACT RELATING TO RECKLESS ENDANGERING WITH A FIREARM", passed Second Reading and was placed on the calendar for Third Reading on Monday, February 28, 1977.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 117) recommending that H.B. No. 197 be referred to the Committee on Public Employment and Government Operations.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 197, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", was referred to the Committee on Public Employment and Government Operations.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 118) recommending that H.B. No. 486, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Abercrombie and carried, the report of the Committee was adopted and H.B. No. 486, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ALLIED HEALTH PROGRAMS AT KAPIOLANI COMMUNITY COLLEGE", passed Second Reading and was referred to the Committee on Finance.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 152, HD 1; 511, HD 1; 256, HD 1; 249, HD 1; 183; 471, HD 1; 453, HD 1; 313, HD 1; 447, HD 1; 239, HD 1; 240, HD 1; and 263 were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 402 and 403) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 402) congratulating Fire Chief Elvin Kamoku upon his retirement from the Hawaii County Fire Department was jointly offered by Representatives Segawa, Aki, Baker, Cobb, Dods, Garcia, Inaba, Kawakami, Kihano, Kunimura, Machida, Medeiros, Mina, Mizuguchi, Naito, Nakamura, Narvaes, Peters, Poepoe, Stanley, Sutton, Suwa, Takamine, Ueoka and K. Yamada.

On motion by Representative Takamine, seconded by Representative K. Yamada and carried, H.R. No. 402 was adopted.

A resolution (H.R. No. 403) honoring Manuel K. Medeiros upon his retirement from the Civil Defense Agency was jointly offered by Representatives Kawakami, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Kawakami, seconded by Representative Kunimura and carried, H.R. No. 403 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 404 to 435) and concurrent resolutions (H.C.R. Nos. 61 to 71) were referred to the Committee on Legislative Management and further action was deferred until Monday, February 28, 1977:

A resolution (H.R. No. 404) requesting the Department of Education to conduct a feasibility study on the concept of job sharing was jointly offered by Representatives Wakatsuki,

Aki, Baker, Blair, Campbell, Cayetano, Garcia, Inaba, Kihano, Kiyabu, Kondo, Kunimura, Lunasco, Machida, Mizuguchi, Morioka, Naito, Say, Segawa, Shito, Suwa, Takamine, Takamura, Toguchi, Ueoka, Uwaine and K. Yamada.

A resolution (H.R. No. 405) requesting the University of Hawaii to conduct a feasibility study on the concept of job sharing was jointly offered by Representatives Wakatsuki, Aki, Baker, Blair, Campbell, Cayetano, Garcia, Inaba, Kihano, Kiyabu, Kondo, Kunimura, Lunasco, Machida, Mizuguchi, Morioka, Naito, Say, Segawa, Shito, Suwa, Takamine, Takamura, Toguchi, Ueoka, Uwaine and K. Yamada.

A resolution (H.R. No. 406) requesting the Department of Personnel Services to conduct a feasibility study on the concept of job sharing was jointly offered by Representatives Wakatsuki, Aki, Baker, Blair, Campbell, Cayetano, Garcia, Inaba, Kihano, Kiyabu, Kondo, Kunimura, Lunasco, Machida, Mizuguchi, Morioka, Naito, Say, Segawa, Shito, Suwa, Takamine, Takamura, Toguchi, Ueoka, Uwaine and K. Yamada.

A resolution (H.R. No. 407) requesting education on the problems of pet overpopulation was offered by Representative Blair.

A resolution (H.R. No. 408) requesting congressional support of state programs which provide compensation to victims of crime was jointly offered by Representatives Blair and Garcia.

A resolution (H.R. No. 409) requesting a study of the "sunset" concept was jointly offered by Representatives Stanley and Uwaine.

A resolution (H.R. No. 410) requesting reports from the executive departments concerning the vendor payment process was jointly offered by Representatives Stanley and Uwaine.

A resolution (H.R. No. 411) requesting expediting of efforts to secure reparations due the Hawaiian people was jointly offered by Representatives Peters, Caldito and Kunimura.

A resolution (H.R. No. 412) requesting a review of the feasibility of the establishment of a four-year college system on Maui was offered by Representative Ueoka.

A resolution (H.R. No. 413) relating to the ethnics studies program at

the University of Hawaii, Manoa, was jointly offered by Representatives Takamura, Caldito, Cobb, Dods, Inaba, Kawakami, Kunimura, Machida, Mina, Morioka, Naito, Peters, Segawa, Shito, Takamine, Toguchi, Ueoka, D. Yamada and K. Yamada.

A resolution (H.R. No. 414) urging the State Board for Vocational Education and the State Board of Education to accord the highest priority in resource allocation and program planning and development for vocational and technical education programs and to redouble efforts in inter-agency articulation was jointly offered by Representatives Mizuguchi, Caldito, Inaba, Kiyabu, Lunasco, Machida, Morioka, Peters, D. Yamada and K. Yamada.

A resolution (H.R. No. 415) requesting the filling of vacant and available positions under Comprehensive Employment and Training Programs was jointly offered by Representatives Takamine, Inaba, Kunimura, Machida, Mina, Say, Suwa and Takamura.

A resolution (H.R. No. 416) requesting the Department of Social Services and Housing to take over the operation of all of the county community correctional facilities was jointly offered by Representatives D. Yamada, Aki, Baker, Blair, Caldito, Evans, Garcia, Inaba, Kawakami, Kihano, Kiyabu, Kunimura, Mina, Mizuguchi, Nakamura, Poepoe, Segawa, Shito, Stanley, Suwa, Takamine, Uechi, K. Yamada and Yuen.

A resolution (H.R. No. 417) relating to high school vocational education was jointly offered by Representatives Nakamura, Cayetano, Evans, Inaba, Kawakami, Kihano, Lunasco, Machida, Mina, Narvaes, Shito, Stanley, Suwa, Toguchi and K. Yamada.

A resolution (H.R. No. 418) relating to balanced appointments to State boards and commissions was jointly offered by Representatives Naito, Stanley, Evans, Ikeda and Kamalii.

A resolution (H.R. No. 419) requesting the Department of Taxation to study the feasibility of changing the income tax law so that the State uses a percentage of the Federal income tax as the basis of the State income tax was jointly offered by Representatives Morioka, Baker, Cayetano, Cobb, Garcia, Kihano, Kiyabu, Kondo, Mina, Peters, Takamine, Toguchi, Ueoka, Yuen and Wakatsuki.

A resolution (H.R. No. 420) requesting an inventory of State cultural and artistic forms was jointly offered by Representatives Say and Ueoka.

A resolution (H.R. No. 421) relating to a memorial for the birth site of Kamehameha the Great was jointly offered by Representatives Say and Stanley.

A resolution (H.R. No. 422) requesting an interim study of the rules of evidence was jointly offered by Representatives K. Yamada and Garcia.

A resolution (H.R. No. 423) requesting consideration of the need for parks dedication ordinances was jointly offered by Representatives Kiyabu, Baker, Caldito, Dods, Kunimura, Machida, Naito, Shito, Suwa, Takamine, Toguchi, Ueoka and Uwaine.

A resolution (H.R. No. 424) requesting assessment of the feasibility of employing persons under the CETA and SCET programs as health aides in schools was jointly offered by Representatives Takamine, Dods, Inaba, Kunimura, Machida, Mina, Say, Suwa and Takamura.

A resolution (H.R. No. 425) requesting lower agricultural water rates in Hawaii County was jointly offered by Representatives Inaba, Aki, Caldito, Kawakami, Larsen, Lunasco, Morioka, Naito, Peters and K. Yamada.

A resolution (H.R. No. 426) requesting the Department of Agriculture to study the desirability and efficacy of a special agricultural water rate was jointly offered by Representatives Uechi, Aki, Inaba, Kawakami, Larsen, Lunasco, Morioka, Naito, Peters, Toguchi and K. Yamada.

A resolution (H.R. No. 427) requesting a feasibility study of installing solar energy devices in public buildings was offered by Representative Ajifu.

A resolution (H.R. No. 428) recommending to the next constitutional convention that an amendment granting the initiative, referendum and recall to the people be considered was offered by Representative Poepoe.

A resolution (H.R. No. 429) requesting the Board of Trustees of the Employees' Retirement System of the State of Hawaii to closely monitor the direction of social security was offered by Representative Poepoe.

A resolution (H.R. No. 430) recommending that the next constitutional convention consider an amendment to Article XII, Section 2 of the State Constitution dealing with collective bargaining

was offered by Representative Poepoe.

A resolution (H.R. No. 431) requesting the Governor of the State of Hawaii to release funds appropriated for the construction of a deepwater harbor at Barbers Point was offered by Representative Poepoe.

A resolution (H.R. No. 432) requesting the State Department of Transportation to discontinue its support of the fixed rail mass transit system for the city of Honolulu was offered by Representative Poepoe.

A resolution (H.R. No. 433) supporting the State Department of Transportation in their investigation for alternative routes for TH-3 to expedite its completion was offered by Representative Poepoe.

A resolution (H.R. No. 434) requesting the Board of Regents of the University of Hawaii to halt further planning and funding for a West Oahu College was offered by Representative Poepoe.

A resolution (H.R. No. 435) requesting the Director of Social Services and Housing to promulgate new overpayment recoupment rules was offered by Representative Baker.

A concurrent resolution (H.C.R. No. 61) requesting congressional support of State programs which provide compensation to victims of crime was jointly offered by Representatives Blair and Garcia.

A concurrent resolution (H.C.R. No. 62) requesting education on the problems of pet overpopulation was offered by Representative Blair.

A concurrent resolution (H.C.R. No. 63) requesting a study of the "sunset" concept was jointly offered by Representatives Stanley and Uwaine.

A concurrent resolution (H.C.R. No. 64) requesting reports from the executive departments concerning the vendor payment process was jointly offered by Representatives Stanley and Uwaine.

A concurrent resolution (H.C.R. No. 65) requesting lower agricultural water rates in Hawaii County was jointly offered by Representatives Inaba, Aki, Caldito, Kawakami, Larsen, Lunasco, Morioka, Naito, Peters and K. Yamada.

A concurrent resolution (H.C.R. No. 66) relating to a memorial for the birth site of Kamehameha the Great was jointly offered by Representatives

Say and Stanley.

A concurrent resolution (H.C.R. No. 67) urging the State Board for Vocational Education and the State Board of Education to accord the highest priority in resource allocation and program planning and development for vocational and technical education programs and to redouble efforts in inter-agency articulation was jointly offered by Representatives Mizuguchi, Caldito, Inaba, Kiyabu, Lunasco, Machida, Morioka, Peters, D. Yamada and K. Yamada.

A concurrent resolution (H.C.R. No. 68) requesting the Director of Social Services to expand the privilege of correctional officers to bear firearms was jointly offered by Representatives Kamalii, Ajifu, Evans, Fong, Ikeda, Medeiros, Narvaes and Sutton.

A concurrent resolution (H.C.R. No. 69) requesting a feasibility study of installing solar energy devices in public buildings was offered by Representative Ajifu.

A concurrent resolution (H.C.R. No. 70) requesting the members of the forthcoming constitutional

convention consider an amendment to the State Constitution to provide for a nonpartisan unicameral legislature was offered by Representative Poepoe.

A concurrent resolution (H.C.R. No. 71) requesting the Department of Education to consider how best to maintain 3-on-2 classes on an option basis while utilizing surplus funds and teachers to lower the teacher-pupil ratio in self-contained classrooms and hire teachers for other needed educational positions was offered by Representative Poepoe.

At 12:05 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:06 o'clock p.m.

#### ADJOURNMENT

At 12:10 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 11:30 o'clock a.m. on Monday, February 28, 1977.

## TWENTY-EIGHTH DAY

Monday, February 28, 1977

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Lawrence Roller of the Lutheran Church of Pearl Harbor, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Fong and Morioka, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Twenty-Seventh Day.

On motion by Representative Yuen seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Seventh Day was approved.

At this time, Representative Kunimura rose on a point of personal privilege and asked:

"I rise this morning to question what the feather is doing on my desk. Mr. Speaker, am I granted this personal privilege?"

Directed by the Chair to "state your point", Representative Kunimura stated:

"Many years ago, a white feather was a symbol of a cowardly act, or lack of spirit or bravery, and if the feather on our desks this morning is someone's act of trying to tell us that we do not have intestinal fortitude to be brave to stand up to the issue, then I would like to have that person explain the reason for the feather.

There is another story of many years ago when the feather was a punishment for one with idle tongue spreading loose gossip around the community, that the wise man punished that violator that he must place, or she must place, a feather at the doorstep of every home in the community and the next morning, after the strong wind, pick up all the feathers because that was the lesson.

If the reason for this feather is the demise of the chicken fight bill, then that person should explain

to this body here, but I am in a quandary why the feathers are about the chambers today, and I cannot seem to rest peacefully to do today's work without first having that explanation because it is a serious allegation to put feathers on the desks of members of a body like ours, so I would like to request, Mr. Speaker, that you call upon the individual or individuals responsible for placing the feathers on our desks."

The Chair responded:

"Representative Kunimura, it is my understanding that the white feather represents peace and tranquility, irrespective of the demise of a certain measure."

Representative Kunimura then asked:

"Then, am I to accept your admission that you placed the feather on our desks this morning?"

The Chair replied:

"With my permission. Let us proceed."

## MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 4 to 6) were read by the Clerk and were disposed of as follows:

A communication from the Honorable Spark Matsunaga, United States Senator (Misc. Com. No. 4) acknowledging receipt of a copy of House Resolution No. 321, was placed on file.

A communication from the Honorable Spark Matsunaga, United States Senator (Misc. Com. No. 5) acknowledging receipt of a copy of House Resolution No. 134, was placed on file.

A communication from the family of the late Fukuyo Segawa (Misc. Com. No. 6) expressing gratitude and appreciation for the many kindnesses extended during their recent bereavement, was placed on file.

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

Representative Sutton introduced his granddaughter, Tracy Kemp, stating: "In 1975, a picture of the Speaker of this House, James Wakatsuki, appeared in a national magazine with Tracy Kemp who lives in Brae, California.

She is here this morning."	416	Committee on Corrections and Rehabilitation
Representative Kunimura then introduced three women, Mrs. Tsuda, Mrs. Lau and a Mrs. Inouye from Kauai, "aunt of our younger Representative (Dennis Yamada)."	417	Committee on Education
Representative Kunimura then remarked:	418	Committee on Consumer Protection and Commerce, then to the Committee on Public Employment and Government Operations
"We are so confused here in this chamber to have two Yamadas. I would like to propose today that one be called 'Ya fada' and the other 'Yamada'.	419	Committee on Finance
	420	Committee on Culture and the Arts, then to the Committee on Legislative Management
ORDER OF THE DAY	421	Committee on Culture and the Arts, then to the Committee on Finance
DEFERRED RESOLUTIONS	422	Committee on Judiciary, then to the Committee on Legislative Management
The following resolutions (H.R. Nos. 404 to 435) and concurrent resolutions (H.C.R. Nos. 61 to 71) were disposed of as follows:	423	Committee on Water, Land Use, Development and Hawaiian Homes
<u>H.R. Nos.</u> <u>Referred to:</u>		
404      Committee on Education, then to the Committee on Finance	424	Committee on Employment Opportunities and Labor Relations, then to the Committee on Health
405      Committee on Higher Education, then to the Committee on Finance	425	Jointly to the Committees on Agriculture and Water, Land Use, Development and Hawaiian Homes
406      Committee on Public Employment and Government Operations, then to the Committee on Finance	426	Jointly to the Committees on Agriculture and Water, Land Use, Development and Hawaiian Homes
407      Committee on Education	427	Committee on Energy and Transportation, then to the Committee on Finance
408      Committee on Judiciary	428	Committee on Judiciary
409      Committee on Public Employment and Government Operations, then to the Committee on Finance	429	Committee on Public Employment and Government Operations
410      Committee on Public Employment and Government Operations, then to the Committee on Finance	430	Committee on Public Employment and Government Operations, then to the Committee on Judiciary
411      Committee on Water, Land Use, Development and Hawaiian Homes	431	Committee on Energy and Transportation, then to the Committee on Finance
412      Committee on Higher Education	432	Committee on Energy and Transportation, then to the Committee on Finance
413      Committee on Higher Education, then to the Committee on Finance	433	Committee on Energy and Transportation
414      Jointly to the Committees on Education and Higher Education	434	Committee on Higher Education,
415      Committee on Employment Opportunities and Labor Relations		

	then to the Committee on Finance	1486	Committee on Consumer Protection and Commerce, then to the Committee on Finance
435	Committee on Public Assistance and Human Services		
		1527	Committee on Finance
<u>H.C.R. Nos.</u>		1685	Jointly to the Committees on Consumer Protection and Commerce and Energy and Transportation, then to the Committee on Finance
61	Committee on Judiciary		
62	Committee on Education		
63	Committee on Public Employment and Government Operations, then to the Committee on Finance		
64	Committee on Public Employment and Government Operations, then to the Committee on Finance		
65	Jointly to the Committees on Agriculture and Water, Land Use, Development and Hawaiian Homes		
66	Committee on Culture and the Arts, then to the Committee on Finance		
67	Jointly to the Committees on Education and Higher Education		
68	Jointly to the Committees on Corrections and Rehabilitation and Judiciary		
69	Committee on Energy and Transportation, then to the Committee on Finance		
70	Committee on Judiciary		
71	Committee on Education		

The following resolutions were re-referred as follows:

<u>H.R. Nos.</u>	<u>Re-referred to:</u>
22	Committee on Corrections and Rehabilitation, then to the Committee on Legislative Management
36	Committee on Corrections and Rehabilitation, then to the Committee on Legislative Management
38	Committee on Corrections and Rehabilitation, then to the Committee on Legislative Management
92	Committee on Public Assistance and Human Services, then to the Committee on Legislative Management
93	Committee on Public Assistance and Human Services, then to the Committee on Legislative Management
96	Committee on Public Assistance and Human Services, then to the Committee on Legislative Management
97	Committee on Public Assistance and Human Services, then to the Committee on Legislative Management

#### COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
854	Committee on Higher Education, then to the Committee on Finance
992	Committee on Finance
1045	Committee on Finance
1122	Committee on Finance
1155	Committee on Finance
1357	Jointly to the Committees on State General Planning and Employment Opportunities and Labor Relations, then to the Committee on Finance

#### STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 119) informing the House that House Resolution Nos. 400 to 435, House Concurrent Resolution Nos. 61 to 71, and Standing Committee Report Nos. 120 to 137, have been printed and distributed.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 120) recommending that H.B. No. 203 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 203, entitled: "A BILL FOR AN ACT RELATING TO CANCER STUDIES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 1, 1977.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 121) recommending that H.B. No. 200 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 200, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 1, 1977.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 122) recommending that H.B. No. 211 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 211, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 1, 1977.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 123) recommending that H.B. No. 170 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 170, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON MANPOWER

AND FULL EMPLOYMENT", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 1, 1977.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 124) recommending that H.B. No. 208 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 208, entitled: "A BILL FOR AN ACT RELATING TO EXTENDING THE WORK HOURS LIMITATION OF MINORS UNDER 16 YEARS OF AGE AND AMENDING CHAPTER 390 OF THE HAWAII REVISED STATUTES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 1, 1977.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 125) recommending that H.B. No. 210 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 210, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 1, 1977.

At 11:43 o'clock a.m., on request by Representative Yuen, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:45 o'clock a.m.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 126) recommending that H.R. No. 71, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.R. No. 71, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASI-

BILITY OF USING EXISTING PUBLIC BUILDINGS AS THE SITE OF A HAWAII HALL OF GOVERNMENT", was referred to the Committee on Finance.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 127) recommending that H.R. No. 135, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.R. No. 135, HD 1, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF THE UNEMPLOYMENT INSURANCE LAWS", was referred to the Committee on Legislative Management.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 128) recommending that H.R. No. 160, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Kiyabu, seconded by Representative Mina and carried, the report of the Committee was adopted and H.R. No. 160, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON DEVELOPMENT OF POPULATION POLICIES AND POPULATION PLANNING MEASURES", was referred to the Committee on Legislative Management.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 129) recommending that H.B. No. 559 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 559, entitled: "A BILL FOR AN ACT RELATING TO FIREMEN'S PENSIONS", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 130) recommending that H.B. No. 632 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine

and carried, the report of the Committee was adopted and H.B. No. 632, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 131) recommending that H.B. No. 562, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 562, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKER'S COMPENSATION", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 132) recommending that H.B. No. 192, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 192, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCIDENTAL DEATH BENEFIT", passed Second Reading and was referred to the Committee on Finance.

Representative Blair, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 133) recommending that H.B. No. 311, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Blair, seconded by Representative Larsen and carried, the report of the Committee was adopted and H.B. No. 311, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX DEDUCTIONS FOR POLLUTION CONTROL DEVICES", passed Second Reading and was referred to the Committee on Finance.

Representatives Machida and Kiyabu, for the Committees on Tourism and State General Planning, presented a joint report (Stand. Com. Rep. No. 134) recommending that H.B.

No. 144, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Machida, seconded by Representative Kiyabu and carried, the report of the Committees was adopted and H.B. No. 144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO URBAN AND REGIONAL DESIGN PLANS", passed Second Reading and was referred to the Committee on Finance.

Representative Garcia, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 135) recommending that H.B. No. 307, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the majority of the Committee was adopted and H.B. No. 307, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL INJURIES COMPENSATION LAW", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 136) recommending that H.B. No. 193 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 193, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 137) recommending that H.R. No. 158, as amended in HD 1, be referred to the Committee on Legislative Management.

Representative Kiyabu moved that the report of the Committee be adopted and H.R. No. 158, HD 1, be referred to the Committee on Legislative Management, seconded by Representative Mina.

Representative Sutton then rose to speak in favor of the resolution, stating:

"Mr. Speaker, since the United States Congress has revised all of its immigration policies, the amount of in-migration to the State of Hawaii has greatly increased and it is not a percentage that is normal to any other state, including the ocean states of New York and California, and we find ourselves bearing the burden which should be the burden of the entire country, and our own leader, Kinau Boyd Kamalii, has brought this thing out in prior years and has made numerous reports on this subject and, sir, I think this should also be reported to the United Nations, not just the United States Congress, because this is a very serious problem to burden a small state with a tremendously difficult situation.

We took care of more Vietnamese than any other state, and we have a spirit of Aloha and that is fine, but we are not in a position economically. We are not a powerfully resourceful state like California. We do not have oil; we do not have huge forest lands. We are a small state, and this is a very important part.

I wish there was a little money here to send you back to Washington to plead this case. Thank you, sir."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 158, HD 1, entitled: "HOUSE RESOLUTION REQUESTING RENEWED EFFORTS TO ADDRESS THE PROBLEMS OF IMMIGRATION AND IN-MIGRATION ON THE STATE OF HAWAII", was referred to the Committee on Legislative Management.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 138) recommending that H.B. No. 733 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 733, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CORPS OF CIVILIAN WORKERS PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented

a report (Stand. Com. Rep. No. 139) recommending that H.B. No. 6, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 6, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE REPAIR AND MAINTENANCE OF PUBLIC FACILITIES AND MAKING APPROPRIATIONS THEREFOR", was recommitted to the Committee on Finance.

#### INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 436 and 437) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 1, 1977:

A resolution (H.R. No. 436) requesting consideration of a moratorium on enforcement of production regulations affecting Hawaii's sugar industry was offered by Representative Yuen.

A resolution (H.R. No. 437) requesting the Department of Transportation to provide adequate facilities for air cargo handling at all airports in the State was jointly offered by Representatives Kawakami, Caldito, Cayetano, Fong, Kiyabu, Kondo, Larsen, Mizuguchi, Peters, Shito, Suwa, Takamura, Toguchi, Ushijima and Yuen.

At 11:51 o'clock a.m., on request by Representative Kamalii, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:06 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii 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:

#### H.B. No. 152, HD 1:

On motion by Representative Kiyabu, seconded by Representative Mina, H.B. No. 152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING", passed Third Reading by a vote of 48 ayes, with Representatives Abercrombie, Fong and Morioka being excused.

#### H.B. No. 511, HD 1:

On motion by Representative Kawakami, seconded by Representative Caldito, H.B. No. 511, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Third Reading by a vote of 48 ayes, with Representatives Abercrombie, Fong and Morioka being excused.

#### H.B. No. 256, HD 1:

On motion by Representative Garcia, seconded by Representative K. Yamada, H.B. No. 256, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY", passed Third Reading by a vote of 48 ayes, with Representatives Abercrombie, Fong and Morioka being excused.

#### H.B. No. 249, HD 1:

On motion by Representative Garcia, seconded by Representative K. Yamada, H.B. No. 249, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RAPE", passed Third Reading by a vote of 48 ayes, with Representatives Abercrombie, Fong and Morioka being excused.

#### H.B. No. 183:

Representative Garcia moved that action on H.B. No. 183 be deferred two days (Wednesday, March 2, 1977), and the Chair, noting that there were no objections, so ordered.

#### H.B. No. 471, HD 1:

Representative Suwa requested that action on H.B. No. 471, HD 1, be deferred one day and the Chair, noting that there were no objections, so ordered.

#### H.B. No. 453, HD 1:

On motion by Representative Garcia, seconded by Representative K. Yamada, H.B. No. 453, HD 1, entitled: "A

BILL FOR AN ACT RELATING TO ALCOHOL AND HIGHWAY SAFETY", passed Third Reading by a vote of 48 ayes, with Representatives Abercrombie, Fong and Morioka being excused.

H.B. No. 313, HD 1:

On motion by Representative Garcia, seconded by Representative K. Yamada, H.B. No. 313, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed Third Reading by a vote of 48 ayes, with Representatives Abercrombie, Fong and Morioka being excused.

H.B. No. 447, HD 1:

Representative Garcia requested that action on H.B. No. 447, HD 1, be deferred to the end of the calendar, and the Chair, noting that there were no objections, so ordered.

H.B. No. 239, HD 1:

Representative Garcia moved that H.B. No. 239, HD 1, having been read throughout, pass Third Reading, seconded by Representative K. Yamada.

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

Upon reconvening at 12:17 o'clock p.m., the motion was put by the Chair and carried, and H.B. No. 239, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TERRORISTIC THREATENING", having been read throughout, passed Third Reading by a vote of 48 ayes, with Representatives Abercrombie, Fong and Morioka being excused.

H.B. No. 240, HD 1:

On motion by Representative Garcia, seconded by Representative K. Yamada, H.B. No. 240, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed Third Reading by a vote of 47 ayes to 1 no, with Representative Peters voting no, and Representatives Abercrombie, Fong and Morioka being excused.

H.B. No. 263:

On motion by Representative Garcia,

seconded by Representative K. Yamada, H.B. No. 263, entitled: "A BILL FOR AN ACT RELATING TO RECKLESS ENDANGERING WITH A FIREARM", passed Third Reading by a vote of 47 ayes to 1 no, with Representative Carroll voting no, and Representatives Abercrombie, Fong and Morioka being excused.

The Chair directed the Clerk to note that H.B. Nos. 152 and 511 had passed Third Reading at 12:07 o'clock p.m.; H.B. Nos. 256 and 249 at 12:08 o'clock p.m.; H.B. No. 453 at 12:09 o'clock p.m.; H.B. No. 313 at 12:10 o'clock p.m.; and H.B. Nos. 239, 240 and 263 at 12:18 o'clock p.m.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

H.B. No. 447, HD 1, on Third Reading:

On motion by Representative Garcia, seconded by Representative K. Yamada, H.B. No. 447, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", having been read throughout, passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Carroll, Narvaes and Peters voting no, and Representatives Abercrombie, Fong and Morioka being excused.

The Chair directed the Clerk to note that H.B. No. 447 had passed Third Reading at 12:19 o'clock p.m.

H.B. No. 471, HD 1, on Third Reading:

At this time, Representative Suwa rose and stated:

"Mr. Speaker, earlier, I requested that House Bill No. 471, House Draft 1, be deferred for one day, but during the recess, I satisfied my questionable area so, therefore, if the Chairman wishes to proceed with the agenda of the day, he may do so."

The Chair stated:

"If there is no objection, the Chair will order that House Bill No. 471, House Draft 1, may be moved at this time."

On motion by Representative Garcia, seconded by Representative K. Yamada, H.B. No. 471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES LEFT UNATTENDED ON PRIVATE PROPERTY", having been read throughout, passed Third Reading by a vote of 48 ayes, with Representatives Abercrom-

bie, Fong and Morioka being excused.

The Chair directed the Clerk to note that H.B. No. 471 had passed Third Reading at 12:20 o'clock p.m.

At this time, Representative Mina introduced a former colleague, Mr. Emilio Alcon, to the members of the House.

At 12:21 o'clock p.m., on request by Representative Kamalii, 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 Evans requested permission to make a special announcement and directed by the Chair to "proceed", Representative Evans stated:

"Mr. Speaker, thirty-five years ago, a member of this House was married to a very lovely 'Miss', and the lovely lady really deserves a gold medal for being married to the same person for thirty-five years, and without any further accolades, I would like to wish a 'Happy Anniversary' to Representative Sutton and his fair 'Miss', Mrs. Sutton, who is up in the gallery."

Representative Evans then presented

the honoree with a white carnation lei.

#### COMMITTEE REASSIGNMENT

The Chair, at this time, re-referred H.B. No. 147 to the Committee on Public Employment and Government Operations, then to the Committee on Finance.

At 12:25 o'clock p.m., on request by Representative Kunimura, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:27 o'clock p.m., Representative Kunimura stated:

"I would like to announce the progress of negotiations between the two Yamadas without any tossing of the coin or otherwise. We gave credit to Dennis Yamada for the good looks, and age to Kats Yamada, and a resolution will be forthcoming, and we have agreed that Kats Yamada will be known as 'Kats Yamada' and Dennis Yamada will be known as Dennis 'Ya fada'."

#### ADJOURNMENT

At 12:29 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 11:30 o'clock a.m. tomorrow, Tuesday, March 1, 1977.

## TWENTY-NINTH DAY

Tuesday, March 1, 1977

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Paul Peachey of the Metropolitan Community Church, after which the Roll was called showing all members present with the exception of Representatives Poepoe and Toguchi, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Twenty-Eighth Day.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Eighth Day was approved.

## SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 14) transmitting Senate Concurrent Resolution No. 64 encouraging efforts to save the whales which was adopted by the Senate on February 28, 1977, was read by the Clerk and was placed on file.

By unanimous consent, action on S.C.R. No. 64 was deferred until later in the calendar.

## MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 7 to 11) were read by the Clerk and were disposed of as follows:

A communication from Celia Ueoka (Misc. Com. No. 7) extending her aloha for the certified copy of House Resolution No. 322, was placed on file.

A communication from the Honorable Thomas P. O'Neill, Jr., Speaker of the U.S. House of Representatives (Misc. Com. No. 8) acknowledging receipt of House Resolution Nos. 134 and 141, was placed on file.

A communication from William C. Smith, Administrative Assistant to the President of the U.S. Senate (Misc. Com. No. 9) acknowledging

receipt of House Resolution Nos. 134 and 141, was placed on file.

A communication from the Honorable Daniel K. Inouye, U.S. Senator (Misc. Com. No. 10) acknowledging receipt of House Resolution No. 141, was placed on file.

A communication from the Honorable Daniel K. Inouye, U.S. Senator (Misc. Com. No. 11) acknowledging receipt of House Resolution No. 134, was placed on file.

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

Representative Sutton introduced 8th grade students from Kawananao School who were accompanied by their teacher, Mrs. Dutcher. He also introduced Mr. & Mrs. Amalu, parents of newspaper columnist, Sammy Amalu.

Twenty-one students from the fifth and sixth grades of Liholiho School were introduced by Representative Naito. They were accompanied by their teacher, Mr. Henry Wong.

## ORDER OF THE DAY

## DEFERRED RESOLUTIONS

The following resolutions were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
436	Jointly to the Committees on Agriculture and Ecology and Environment
437	Jointly to the Committees on Agriculture and Energy and Transportation

S.C.R. No.

64	Committee on Ecology and Environment
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## COMMITTEE REASSIGNMENTS

The following were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
434	Committee on Finance

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435	Committee on Finance	1055	Committee on Finance
436	Committee on Finance	1089	Committee on Finance
437	Committee on Finance	1090	Committee on Finance
438	Committee on Finance	1096	Committee on Finance
439	Committee on Finance	1116	Committee on Finance
440	Committee on Finance	1118	Committee on Finance
441	Committee on Finance	1119	Committee on Finance
442	Committee on Finance	1120	Committee on Finance
499	Committee on Finance	1124	Committee on Finance
513	Committee on Finance	1130	Committee on Finance
516	Committee on Finance	1148	Committee on Finance
717	Committee on Finance	1170	Committee on Finance
751	Committee on Finance	1184	Committee on Finance
752	Committee on Finance	1192	Committee on Finance
847	Committee on Finance	1255	Committee on Finance
887	Committee on Finance	1264	Committee on Finance
903	Committee on Finance	1265	Committee on Finance
917	Committee on Finance	1268	Committee on Finance
944	Committee on Finance	1269	Committee on Finance
945	Committee on Finance	1273	Committee on Finance
947	Committee on Finance	1285	Committee on Ocean and Marine Resources, then to the Committee on Finance
948	Committee on Finance		
949	Committee on Finance	1293	Committee on Finance
966	Committee on Finance	1300	Committee on Finance
971	Committee on Finance	1314	Committee on Finance
975	Committee on Finance	1338	Committee on Finance
1036	Committee on Finance	1353	Committee on Public Employment and Government Operations
1040	Committee on Finance		
1041	Committee on Finance	1392	Committee on Finance
1044	Committee on Finance	1393	Committee on Finance
1046	Committee on Finance	1414	Committee on Finance
1049	Committee on Finance	1465	Committee on Finance
1050	Committee on Finance	1492	Committee on Finance
1052	Committee on Finance	1496	Committee on Finance
1053	Committee on Finance	1516	Committee on Finance

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 1733 Committee on Finance  
 1740 Committee on Finance  
 1742 Committee on Finance

Nos. 438 and 439) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 438) congratulating Haunani Asing on being chosen Miss Hawaii was jointly offered by Representatives Evans, Ajifu, Baker, Caldito, Cayetano, Cobb, Dods, Garcia, Ikeda, Inaba, Larsen, Lunasco, Machida, Medeiros, Mizuguchi, Nakamura, Narvaes, Poepoe, Say, Stanley, Sutton, Toguchi, Ushijima, Uwayne, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Evans, seconded by Representative Ajifu and carried, H.R. No. 438 was adopted.

Representative Evans, upon being recognized, stated:

"Mr. Speaker and honorable colleagues, it is really a pleasure for me to present our honored guest today.

Last year, when I attended the Miss Kailua Pageant in Kaneohe, there was one participant who stood out above all. As I sat there, being my own judge, I concluded that she would win all categories; and, obviously, the judges were of the same feeling because she did win in all categories and became Miss Kailua, and then eventually, Miss Hawaii. It wasn't only her outward beauty, but it was an inner beauty that shown through.

Without further ado, I would like to introduce Miss Hawaii's parents, Mr. and Mrs. Lawrence Asing; Hawaiian Airlines had been the sponsor last year for the Miss Hawaii Pageant and they will also, again, be this year's sponsors - Mr. Art Toma, resident sales manager, representing Hawaiian Airlines; and our beautiful Miss Hawaii, Haunani Asing."

At this time, Representative Blair presented Miss Hawaii with a bouquet of red roses; Representative Narvaes presented her with a white carnation lei; Representative Abercrombie presented a certified copy of the resolution to her; and Representative Ajifu presented a certified copy of the resolution to her parents, Mr. & Mrs. Lawrence Asing.

The Chair then appointed Representatives Ajifu, Evans, Kunimura, Lunasco, Ueoka, K. Yamada and Yuen "to escort Miss Hawaii to the rostrum in order that she may share some of her thoughts with us this morning."

#### H.R. Nos.

145 Committee on Tourism,  
 then to the Committee on  
 Legislative Management  
 148 Committee on Tourism,  
 then to the Committee on  
 Legislative Management  
 149 Committee on Tourism,  
 then to the Committee on  
 Legislative Management

#### SUSPENSION OF RULES

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

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R.

The Chair then introduced the honored guest, stating:

"Members of the House, ladies and gentlemen, it is my privilege and distinct honor to present to you, Haunani Asing, Miss Hawaii."

Miss Hawaii responded, saying:

"Thank you so much. This is really hard. I have never had an introduction like that before.

Mahalo for inviting me here, first of all; and, above all, for believing in me as a person, first, and as Miss Hawaii, second.

As a representative of our 50th State, I have learned quite a bit in the past eight months - some as a person. I have gained poise, which I'm sure my mother will vouch for; and I have also gained knowledge as far as where my limits and where my abilities are.

Generally there's one thing that always, always fascinates me on my travels - part on Hawaiian Airlines and part as Miss Hawaii - it's people's reaction when the word 'Hawaii' is uttered. You know, there's immediate warmth generated wherever I am, and it's that one aspect that always fascinates me and makes me proud.

I represented Hawaii in the 1976 Miss America Pageant, but it only began there. Miss Hawaii, the title, carries a lot of connotations - I only hope that I have done as much as I possibly could have to represent this dear State.

I would like to thank all the business and civic organizations for their support in the Miss Hawaii Scholarship Pageant. I emphasize 'scholarship' because Miss Hawaii receives no monetary gifts. The Pageant was created solely to promote a young woman on to higher education, which I'm really grateful for.

Experience is always the best teacher. I hope I can reflect the lessons my experiences have revealed to me.

Thank you for letting me wear your name with pride - Hawaii."

At 11:47 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:52 o'clock a.m.

A resolution (H.R. No. 439) commending Edward "Buster" Medeiros, Jr. for his inspirational example of youthful courage and determination was jointly offered by Representatives Dods, Ikeda, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Evans, Garcia, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Dods, seconded by Representative Ikeda and carried, H.R. No. 439 was adopted.

Representative Dods then rose and stated:

"Mr. Speaker and honorable colleagues, before I introduce our guest today, let me say that adequate recognition of all that Buster Medeiros has done and all that he stands for cannot be put into words. I do not speak lightly when I call him a hero, nor do I exaggerate when I say that before us today we have a living model of courage and fortitude, which may prove invaluable to all of us in times of future trials.

Buster Medeiros, a man, young in years, yet wise to reality, has been working silently and steadily these years, behind the scenes, to better himself. Buster Medeiros never spoke publicly to denounce his high school sports. If he ever felt remorse, if he was ever moved to blame, he never stepped forward to spoil such activities for future participants.

It should be noted that if Buster Medeiros' will to excel is indicative of such a reserve on the part of other handicapped persons, a very strong case could be made for our support of the special olympics program.

The world is open to you, Buster Medeiros, and we hope these few words of encouragement, however meager, will be taken to heart by you just as you have touched our hearts in a way which will not soon be forgotten.

It is with great pleasure that I present to you some important

people: Michael Leahey, President of the Quarterback Club, and at whose annual banquet Buster Medeiros was recently recognized; Ron Marciel, St. Louis Varsity Football Coach, whose devotion has been tried and found genuine; and Mr. & Mrs. Edward Medeiros, Sr., who surely must be proud parents on this memorable occasion; and, finally, but most importantly, may I introduce Edward 'Buster' Medeiros, Jr."

Representative Ikeda then presented the honoree with a red carnation lei and Representative Say presented Mrs. Edward Medeiros, Sr., with a white carnation lei.

Mr. Michael Leahey then made the following announcement:

"Talking with the Hawaii Islanders this morning, Team Hawaii, professional soccer, they want to give Buster Medeiros two life-time season season tickets; also, to honor Buster Medeiros at their opening night as professional soccer Team Hawaii. Congratulations, Buster Medeiros."

At this time, Representative Dods presented certified copies of the resolution to the above introduced persons and the honoree.

At 12:01 o'clock p.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.

#### STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 140) informing the House that House Resolution Nos. 436 and 437 and Standing Committee Report Nos. 138 and 139, 141 to 174, have been printed and distributed.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 141) recommending that H.B. No. 934, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito,

seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 934, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COUNCIL OF HOUSING AND CONSTRUCTION INDUSTRY", 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. 142) recommending that H.B. No. 715 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 715, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE HOME RENOVATION AND REHABILITATION PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 143) recommending that H.B. No. 155, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Mina and carried, the report of the Committee was adopted and H.B. No. 155, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICY PLANNING", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 2, 1977.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 144) recommending that H.B. No. 204, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 204, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE LICENSE ISSUANCE", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 2, 1977.

Representatives Shito and Kawakami, for the Committees on Housing and Water, Land Use, Development and Hawaiian Homes, presented

a joint report (Stand. Com. Rep. No. 145) recommending that H.B. No. 103, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Kawakami and carried, the report of the Committees was adopted and H.B. No. 103, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE-OWNED LANDS SUITABLE AND AVAILABLE FOR RESIDENTIAL DEVELOPMENT", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 2, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 146) recommending that H.B. No. 184, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 184, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS AND FEES UNDER THE STATE TORT LIABILITY ACT", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 2, 1977.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 147) recommending that H.B. No. 732 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 732, entitled: "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAXES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 2, 1977.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 148) recommending that H.B. No. 634 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 634, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES",

passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 149) recommending that H.B. No. 512, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 512, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION EMPLOYEES", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 150) recommending that H.B. No. 633 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 633, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 151) recommending that H.B. No. 704 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 704, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 152) recommending that H.B. No. 813 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 813, entitled: "A BILL FOR AN ACT RELATING TO LEAVES FOR OFFICERS

OR EMPLOYEES ON LOAN TO OTHER GOVERNMENTS", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 153) recommending that H.B. No. 820 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 820, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and 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. 154) recommending that H.R. No. 120, as amended in HD 1, be adopted.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.R. No. 120, HD 1, entitled: "HOUSE RESOLUTION REQUESTING GREATER EFFORTS TO OBTAIN FEDERAL ASSISTANCE FOR PROGRAMS IN ECONOMIC DEVELOPMENT, LAND AND NATURAL RESOURCES, AND HAWAIIAN HOMES", was adopted.

Representative Naito, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 155) recommending that H.R. No. 38, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Naito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.R. No. 38, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A RE-EVALUATION OF THE INTAKE SERVICE CENTERS", was referred to the Committee on Legislative Management.

Representative Naito, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 156) recommending that H.R. No. 36, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Naito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.R. No. 36, HD

1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY AND REVIEW OF THE HAWAII PAROLING AUTHORITY", was referred to the Committee on Legislative Management.

Representative Naito, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 157) recommending that H.R. No. 22, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Naito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.R. No. 22, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF TRANSFERRING THE PROBATION OFFICE FOR ADULTS FROM THE JUDICIARY TO THE CORRECTIONS DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was referred to the Committee on Legislative Management.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 158) recommending that H.B. No. 11, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 11, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", passed Second Reading and was referred to the Committee on Finance.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 155, HD 1; 204, HD 1; 103, HD 1; 184, HD 1; and 732 were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 440) and concurrent resolution (H.C.R. No. 74) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 440) commending the distinguished service of Charles Noboru Yonamine, Joe Waterson, and Mrs. Betty Zane Shimabukuro was jointly offered by Representatives Aki, Blair, Caldito, Campbell, Dods,

Inaba, Kihano, Kiyabu, Kunimura, Machida, Mina, Naito, Peters, Say, Shito, Stanley, Takamine, Ueoka, Ushijima and Uwayne.

On motion by Representative Aki, seconded by Representative Peters and carried, H.R. No. 440 was adopted.

A concurrent resolution (H.C.R. No. 74) congratulating Saint Francis Hospital on its 50th Anniversary year of service to the people of Hawaii was jointly offered by Representatives Wakatsuki, Ajifu, Baker, Blair, Caldito, Campbell, Cayetano, Cobb, Dods, Evans, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Mizuguchi, Morioka, Naito, Peters, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Ueoka, Uwayne, D. Yamada, K. Yamada and Yuen.

On motion by Representative Baker, seconded by Representative Kihano and carried, H.C.R. No. 74 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 441 to 446) and concurrent resolutions (H.C.R. Nos. 72 and 73) were referred to the Committee on Legislative Management and further action was deferred until Wednesday, March 2, 1977:

A resolution (H.R. No. 441) requesting a study of Hawaii's animal quarantine laws concerning carnivorous animals with a view toward reducing the mandatory confinement period without endangering the safety of Hawaii's people and economy was offered by Representative Ushijima.

A resolution (H.R. No. 442) requesting the President of the United States to restore a \$5.5 million dollar cut in Hawaii's share of Federal funds for impacted school districts was jointly offered by Representatives Campbell, Caldito, Kondo, Lunasco and Mizuguchi.

A resolution (H.R. No. 443) requesting review of the nutrition program and services was jointly offered by Representatives Segawa, Inaba, Kunimura, Lunasco, Mizuguchi, Nakamura, Peters, Shito, Suwa, Toguchi, Ueoka, Ushijima, D. Yamada and K. Yamada.

A resolution (H.R. No. 444) requesting the Department of Land and Natural Resources to conduct a feasibility study on establishing a Nehu Farm

was jointly offered by Representatives Caldito, Ajifu, Aki, Baker, Blair, Carroll, Cayetano, Dods, Evans, Garcia, Ikeda, Inaba, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Say, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ueoka, Ushijima, Uwayne, D. Yamada and K. Yamada.

A resolution (H.R. No. 445) requesting Federal action to postpone application of environmental regulations pertaining to Hawaii agricultural industries was jointly offered by Representatives Kondo, Kawakami, Kiyabu, Machida, Mina, Mizuguchi, Naito, Segawa, Shito, Takamine, Uechi, Ueoka, K. Yamada and Yuen.

A resolution (H.R. No. 446) requesting inclusion of Hawaii in mainland weather reports was jointly offered by Representatives Medeiros and Machida.

A concurrent resolution (H.C.R. No. 72) requesting renewed efforts to address the problems of immigration and in-migration on the State of Hawaii was jointly offered by Representatives Kiyabu, Baker, Blair, Cayetano, Cobb, Dods, Evans, Ikeda, Inaba, Kondo, Kunimura, Lunasco, Machida, Mina, Mizuguchi, Naito, Peters, Say, Suwa, Takamine, Takamura, Uechi and Uwayne.

A concurrent resolution (H.C.R. No. 73) requesting the Department of Land and Natural Resources to conduct a feasibility study on establishing a Nehu Farm was jointly offered by Representatives Caldito, Ajifu, Aki, Baker, Blair, Carroll, Cayetano, Dods, Evans, Garcia, Ikeda, Inaba, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Say, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ueoka, Ushijima, Uwayne, D. Yamada and K. Yamada.

At 12:13 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:02 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii and carried, the rules were suspended

for the purpose of taking up bills on Third Reading on the basis of a modified consent calendar.

At 1:03 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:04 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. 203:

On motion by Representative Segawa, seconded by Representative Shito and carried, H.B. No. 203, entitled: "A BILL FOR AN ACT RELATING TO CANCER STUDIES", passed Third Reading by a vote of 49 ayes, with Representatives Poepoe and Toguchi being excused.

#### H.B. No. 200:

Representative Segawa moved that H.B. No. 200, having been read throughout, pass Third Reading, seconded by Representative Shito.

At 1:04 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:10 o'clock p.m., Representative Segawa requested that action be deferred one day and the Chair, noting that there were no objections, so ordered.

#### H.B. No. 211:

On motion by Representative Takamine, seconded by Representative Peters and carried, H.B. No. 211, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Third Reading by a vote of 49 ayes, with Representatives Poepoe and Toguchi being excused.

#### H.B. No. 170:

On motion by Representative Takamine, seconded by Representative Peters and carried, H.B. No. 170, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON MANPOWER AND FULL EMPLOYMENT", passed Third Reading by a vote of 49 ayes,

with Representatives Poepoe and Toguchi being excused.

#### H.B. No. 208:

On motion by Representative Takamine, seconded by Representative Peters and carried, H.B. No. 208, entitled: "A BILL FOR AN ACT RELATING TO EXTENDING THE WORK HOURS LIMITATION OF MINORS UNDER 16 YEARS OF AGE AND AMENDING CHAPTER 390 OF THE HAWAII REVISED STATUTES", passed Third Reading by a vote of 49 ayes, with Representatives Poepoe and Toguchi being excused.

#### H.B. No. 210:

On motion by Representative Takamine, seconded by Representative Peters and carried, H.B. No. 210, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Third Reading by a vote of 49 ayes, with Representatives Poepoe and Toguchi being excused.

The Chair directed the Clerk to note that H.B. No. 203 had passed Third Reading at 1:04 o'clock p.m.; H.B. No. 211 at 1:10 o'clock p.m.; H.B. Nos. 170 and 208 at 1:11 o'clock p.m.; and H.B. No. 210 at 1:12 o'clock p.m.

### STANDING COMMITTEE REPORTS

Representative Suwa, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 159) recommending that H.B. No. 9 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the majority of the Committee was adopted and H.B. No. 9, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROLS TO BE EXERCISED IN THE EXECUTION OF THE BUDGET AND OTHER PROGRAM APPROPRIATIONS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 2, 1977, with Representative Sutton voting no.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 160) recommending that H.B. No. 619 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 619, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 2, 1977.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 161) recommending that H.B. No. 676 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 676, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 2, 1977.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 162) recommending that H.B. No. 679 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 679, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 2, 1977.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 163) recommending that H.B. No. 187 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 187, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 2, 1977.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented

a report (Stand. Com. Rep. No. 164) recommending that H.B. No. 63, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 63, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAREER DEVELOPMENT AND TRAINING PROGRAM FOR CORRECTIONS PERSONNEL", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 165) recommending that H.B. No. 197 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 197, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 166) recommending that H.B. No. 630, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 630, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 167) recommending that H.B. No. 1215, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 1215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES IN CERTAIN EXEMPT POSITIONS OF THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 168) recommending that H.B. No. 808 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 808, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE AND EXEMPTIONS", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 169) recommending that H.B. No. 705 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 705, entitled: "A BILL FOR AN ACT RELATING TO ORDINARY DISABILITY RETIREMENT UNDER THE EMPLOYEES' RETIREMENT SYSTEM", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 170) recommending that H.B. No. 5, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 5, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS AND FOR SALARY ADJUSTMENTS FOR EMPLOYEES EXCLUDED FROM CERTAIN BARGAINING UNITS", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 171) recommending that H.B. No. 190 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 190,

entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER CONTRIBUTIONS TO THE EMPLOYEES' RETIREMENT SYSTEM AND PROVIDING FOR SEPARATE CONTRIBUTIONS TO THE PENSION ACCUMULATION FUND AND TO THE POST RETIREMENT FUND FOR POLICEMEN, FIREMEN AND CORRECTIONS OFFICERS", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 172) recommending that H.B. No. 819 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 819, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE AND EXEMPTIONS", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the majority of the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 173) recommending that H.B. No. 703, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Cayetano then rose and asked:

"Mr. Speaker, I know this bill is only for second reading and to be referred to Finance, but I would like to speak against this bill, at this time.."

Upon being directed by the Chair to "proceed", Representative Cayetano stated:

"Mr. Speaker, this bill relates to purchasing credits for military service under the Employees' Retirement System. Under our present law, certain military service is recognized as membership service for retirement purposes.

One, military service when an employee is inducted into the armed forces while a member of the System, in which event the employer government contributes to the account of the member during his leave of absence.

And, two, military service during the period 1941-49, if the person was not a member of the System at the time of his induction into the armed forces, such service

must be purchased by the member and is restricted to four years.

House Bill No. 703 proposes a third type of military service which may be bought as membership service - this would be military service rendered at any time by the member in the System. This means that if a person served in the military prior to entering government service, he would be eligible to purchase up to four years of his prior military service as retirement for the retirement system.

Mr. Speaker, I oppose this bill because in analyzing this bill and in listening to the testimonies at the hearings, I've come to the conclusion that there's really no sound justification for it. I also oppose this bill because the cost implications to the State of Hawaii are staggering.

The philosophy of our present law, Mr. Speaker, which allows a person whose career in government has been interrupted by induction or voluntary enlistment into the armed services, allows such a person to purchase up to four years credit for his military service in the retirement system. The rationale for the law is easily seen - a person has decided to enter government service and his career is being interrupted by a call to duty - under our present law, we have no such similar benefits for example, for persons who go into the Peace Corps, VISTA, etc.

Now, the present bill would allow a person to, as I said earlier, purchase credit for prior military service. I question the reasoning behind this. The philosophy of making up to a person the interruption is not present here. And what this bill amounts to is really a bonus for those who serve in the military prior to entering government employment.

What is the effect of this bill? Well, if we take certain government workers who can retire on the 25-year and out principle, we can have a person who goes into the military at age 18, serves four years in the military, begins government service at age 22, and is able to retire, if this bill becomes law, at a ripe old age of 43.

How does this affect politicians? Well, under this bill a person who is elected to public office, who has served four years prior military service, need only serve six years in the legislature - he can buy back four years and qualify for retirement

under a ten-year plan.

A study made in 1967 showed that there were 4,479 employees with military service rendered prior to their membership in the service. The actuaries estimate that if this bill becomes law, at today's salaries, the additional employer contribution requirements would be approximately a half million dollars a year; the State's share would be approximately \$300,000, with the Counties sharing the difference.

I see this bill as a disservice to all of those who have served in the military but are not employed by state or county government. I think we should remember that our State recognizes the service that our veterans have given to their country. The Federal government has numerous benefits for veterans. If a veteran wants to enter local government, he already receives 5 points credit; 10 points if he's a disabled veteran. So, it's not as if we have not recognized the service rendered by our veterans. In fact, our veterans, or anyone who has served in the military, has a better chance than anyone to gain employment with state or county government.

I think all of us, when we consider these kinds of bills, should ask ourselves to look at the ramifications of these bills in its total perspective. We have to be careful to avoid the fate of states like New York where bonds were floated to meet payroll demands. And if we are to avoid the fate of such states such as New York, then we must reject passing such laws as this bill which, by itself, may seem innocuous, but which in the long run, when combined with the many other piecemeal benefits we have seen in one bill or another, can only undermine the financial ability of this State to deliver and pay for fringe benefits for future government employees, which are necessary and needed. The State treasury, Mr. Speaker, is not a bottomless pit.

In the area of transportation, going back through the Transportation budget, we found that there are over 600 employees who are project-funded employees. The Transportation Department recognizes that these projects are winding down and one day there will be a day of reckoning - perhaps in ten years, our government will be faced with laying off hundreds of people. We have to consider those things. And for this reason, I assume this bill will pass to be referred to Finance, I hope the members of the Finance Committee will consider some of the

questions I have raised at the deliberations of this bill.

Thank you very much."

Representative Suwa then rose and stated:

"At this time, I am not speaking for or against the bill, but the actuary is scheduled to appear at the 1:30 Finance Committee meeting today, so if anyone has any questions regarding the cost implication, I recommend you come to the meeting."

Representative Cobb then asked:

"Mr. Speaker, I would like to ask for a conflict ruling. I have had three years prior military service."

The Chair replied:

"No conflict", which was also applicable to Representatives Carroll and Sutton.

The motion was put by the Chair and carried and the report of the majority of the Committee was adopted and H.B. No. 703, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PURCHASING CREDITS FOR MILITARY SERVICE UNDER THE EMPLOYEES' RETIREMENT SYSTEM", passed Second Reading and was referred to the Committee on Finance, with Representatives Abercrombie, Blair, Carroll, Cayetano, Kamalii, Larsen, Narvaes, Sutton, Takamura, Ueoka and Uwaine voting no.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 174) recommending that H.B. No. 456, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.B. No. 456, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTICIPATION IN POLITICAL ACTIVITIES BY MEMBERS OF THE POLICE DEPARTMENT", was referred to the Committee on Judiciary.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 9, 619, 676, 679 and 187 were made available to the members of the House at 12:00 o'clock noon.

At 1:24 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:25 o'clock p.m.

#### ADJOURNMENT

At 1:25 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 11:15 o'clock a.m. tomorrow, Wednesday, March 2, 1977.

## THIRTIETH DAY

Wednesday, March 2, 1977

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 11:15 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Pita F. Malae of the Samoan Congregational Christian Church, after which the Roll was called showing all members present with the exception of Representatives Blair, Caldito, Campbell, Fong, Inaba, Kawakami, Morioka, Naito, Segawa, Stanley, Toguchi, Uechi and D. Yamada, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Twenty-Ninth Day.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Ninth Day was approved.

At 11:23 o'clock a.m., on request by Representative Yuen, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:28 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Blair, Campbell, Morioka, Naito and Segawa.

## SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii and carried, the rules were suspended for the purpose of considering a special resolution.

## INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 447) commending Gloria Steinem for her work on behalf of women was jointly offered by Representatives Naito, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ueoka, Ushijima, Uwayne, D. Yamada,

K. Yamada, Yuen and Wakatsuki and was read by the Clerk.

On motion by Representative Naito, seconded by Representative Kamalii and carried, H.R. No. 447 was adopted.

At this time, Representative Naito presented Ms. Gloria Steinem to the members of the House, stating:

"Mr. Speaker, honorable colleagues on both sides of the aisle and of both sexes, the person who sits with us in this chamber today has honored us more by her work than we can possibly honor her by the mere presentation of a resolution. She has certainly done much to be honored for: she graduated magna cum laude, a Phi Beta Kappa from Smith College; she conceived and now edits 'Ms. Magazine' which enjoys the readership and respect of a vast national and international audience; she has, in a few short years, stirred the consciousness of the nation and, indeed, the world.

But a resolution, alone, is entirely inadequate to express the honor our guest deserves for the ideas which she has come to symbolize. To honor her for those, we must do more than listen to them; we must hear them. We must honor her, not just for what she's done, but for what she is.

She is a woman. And, as a woman, I am proud and honored to be standing here, a member of this House of Representatives, introducing Gloria Steinem to this assembly.

The revolution for independence was fought and won 200 years ago. I believe that just as Thomas Jefferson is revered today as one of the founders of that great struggle, so, too, will Gloria Steinem be revered 200 years from now, as one of the founders of this great struggle. For, make no mistake, Gloria Steinem speaks for a revolution--a revolution agonizingly long in its birth pains, but one whose time has finally come.

She expressed it herself, some years ago, when she addressed a group of graduating college women, and I quote: 'I would like to remind us that the revolution which women are trying to make is one so long and so deep and so serious that it makes all the Watergates of the

world seem like very small patriarchal episodes. . . most important, I think, is to realize that we are indeed talking about a revolution and not just a reform.'

Look around you. There are five women elected to this House-- five out of fifty-one. Less than ten percent of our members are women. That statistic saddens me, but heightens my respect for our honored guest because she, as much as any other person in this country, and much more than most, is responsible for our questioning this now obvious disparity.

Knowledge is not power, but is the beginning of power. Before the movement which has come to be known, sometimes too glibly, as 'women's lib', who would have wondered whether a body which is designated the House of Representatives could truly be representative when the sex of 90 percent of its members comprises only 50 percent of the population? Yet, today, who can fail to wonder? Awareness has come because Gloria Steinem, among others, has made the word 'feminism' familiar to everyone as she has made the term 'sexism' abhorrent to most.

And this knowledge is the beginning of power. Try to look beyond the confines of this impressive chamber and pay close attention to the women who pay tribute to Ms. Steinem. Like me, they too feel proud to be women. The embryo that she helped to fertilize in our heads is maturing. Look beyond the chamber and into our homes and our communities and our society. Look at your daughters who question the roles we seldom questioned and whose opportunities will be vastly greater than ours as a result. Knowledge is stirring. And for this knowledge, we, all of us, men and women, owe our guest a tremendous debt.

Gloria Steinem represents a force for the liberation of us all, for as surely as we live in this Pacific Paradise, none of us can ever be free if our freedom depends on the repression of others, whether that repression be physical or psychological.

Knowledge is stirring out there, where the people live, with or without the passage of the equal rights amendment, that knowledge must bear fruit. And the fruit will be sweet for it will be the humanization of our society.

Again, to quote Ms. Steinem, 'A great kind of change, a deep and revolutionary one, is beginning. . . if women of all races have the courage to stand up and refuse to play their roles and to be individuals. . . if they have the enormous courage that it takes to face the ridicule and humiliation that comes to them when they do that. . . if we can understand that real manhood does not depend upon the subjugation of anyone. . . if men can understand this, then we have a chance for a new period in human history, which just might be one of humanism. Then, perhaps, historians will look back and say that for the first time, the human animal stopped dividing itself up according to physical differences, race, or sex and started to look for the real human potential that's inside each of us.'

Mr. Speaker, my friends in this House, ladies and gentlemen, I am honored to present Gloria Steinem."

Representative Yuen then presented Ms. Steinem with a maile and pikake lei and Representative Naito presented the honoree with a copy of the resolution.

At 11:37 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, for the purpose of greeting the honoree, Ms. Gloria Steinem.

Upon reconvening at 11:42 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Caldito, Inaba, Uechi and D. Yamada.

#### ORDER OF THE DAY

##### DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 441 to 446) and concurrent resolutions (H.C.R. Nos. 72 and 73) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
441	Committee on Agriculture
442	Committee on Education
443	Committee on Health
444	Committee on Water, Land Use, Development and Hawaiian Homes
445	Jointly to the Committees on Ecology and Environment and Agriculture
446	Committee on Water, Land Use,

Development and Hawaiian  
Homes

H.C.R. Nos.

- 72 Committee on State General  
Planning
- 73 Committee on Water, Land  
Use, Development and Hawaiian  
Homes

COMMITTEE REASSIGNMENTS

The following bills were re-referred  
as follows:

- | <u>H.B. Nos.</u> | <u>Re-referred to:</u>   |
|------------------|--|
| 75               | Committee on Education,<br>then to the Committee on<br>Finance |
| 1098             | Committee on Health, then<br>to the Committee on Finance       |

UNFINISHED BUSINESS

H.B. No. 183 on Third Reading  
(Deferred from February 28, 1977):

On motion by Representative Garcia,  
seconded by Representative K.  
Yamada and carried, H.B. No. 183  
was recommitted to the Committee  
on Judiciary.

H.B. No. 200 on Third Reading  
(Deferred from March 1, 1977):

Representative Segawa moved  
that action on H.B. No. 200 be deferred  
until Monday, March 7, 1977, and  
the Chair, noting that there were  
no objections, so ordered.

STANDING COMMITTEE REPORTS

Representative Kunimura, for  
the Committee on Legislative Management,  
presented a report (Stand. Com.  
Rep. No. 175) informing the House  
that House Resolution Nos. 438 to  
446, House Concurrent Resolution  
Nos. 72 to 74 and House Standing  
Committee Report Nos. 176 to 199  
have been printed and distributed.

On motion by Representative Kunimura,  
seconded by Representative Lunasco  
and carried, the report of the Committee  
was adopted.

Representative Baker, for the  
Committee on Public Assistance

and Human Services, presented  
a report (Stand. Com. Rep. No.  
176) recommending that H.R. No.  
92, as amended in HD 1, be referred  
to the Committee on Legislative Manage-  
ment.

On motion by Representative Baker,  
seconded by Representative Ushijima  
and carried, the report of the Committee  
was adopted and H.R. No. 92, HD  
1, entitled: "HOUSE RESOLUTION  
REQUESTING A STUDY OF THE PURCHASE  
OF SERVICE PROGRAM", was referred  
to the Committee on Legislative Manage-  
ment.

Representative Baker, for the  
Committee on Public Assistance  
and Human Services, presented  
a report (Stand. Com. Rep. No.  
177) recommending that H.R. No.  
93, as amended in HD 1, be referred  
to the Committee on Legislative Manage-  
ment.

On motion by Representative Baker,  
seconded by Representative Ushijima  
and carried, the report of the Committee  
was adopted and H.R. No. 93, HD  
1, entitled: "HOUSE RESOLUTION  
REQUESTING A PROGRAM REVIEW  
OF THE DEPARTMENT OF SOCIAL  
SERVICES AND HOUSING", was  
referred to the Committee on Legislative  
Management.

Representative Baker, for the  
Committee on Public Assistance  
and Human Services, presented  
a report (Stand. Com. Rep. No.  
178) recommending that H.R. No.  
96, as amended in HD 1, be referred  
to the Committee on Legislative Manage-  
ment.

On motion by Representative Baker,  
seconded by Representative Ushijima  
and carried, the report of the Committee  
was adopted and H.R. No. 96, HD  
1, entitled: "HOUSE RESOLUTION  
REQUESTING A STUDY OF THE MEDICAID  
PROGRAM", was referred to the  
Committee on Legislative Management.

Representative Baker, for the  
Committee on Public Assistance  
and Human Services, presented  
a report (Stand. Com. Rep. No.  
179) recommending that H.R. No.  
97, as amended in HD 1, be referred  
to the Committee on Legislative Manage-  
ment.

On motion by Representative Baker,  
seconded by Representative Ushijima  
and carried, the report of the Committee  
was adopted and H.R. No. 97, HD  
1, entitled: "HOUSE RESOLUTION  
REQUESTING A STUDY OF THE FOOD

STAMP PROGRAM", was referred to the Committee on Legislative Management.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 180) recommending that H.B. No. 618 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 3, 1977.

The Chair directed the Clerk to note that printed copies of H.B. No. 618 were made available to the members of the House at 11:15 o'clock a.m.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 181) recommending that H.R. No. 20 be adopted.

Representative D. Yamada moved that the report of the Committee be adopted and H.R. No. 20 be adopted, seconded by Representative Cobb.

Representative Sutton then rose and stated:

"Mr. Speaker, I am speaking in favor of this resolution and I am very happy to see the institution of a complete study of our financial institutions.

A THC financial situation has hurt a great many people in this State. When Mr. Abercrombie was in Paris and I was on the island of Hawaii, two thousand people put a petition asking us to help this sort of thing. This will follow the duty and responsibility that that gentleman and I have assumed.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 20, entitled: "HOUSE RESOLUTION REQUESTING A STUDY AND REVIEW OF REGULATION OF FINANCIAL INSTITUTIONS", was adopted.

Representative Baker, for the

majority of the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 182) recommending that H.R. No. 95 be adopted.

On motion by Representative Baker, seconded by Representative Ushijima and carried, the report of the majority of the Committee was adopted and H.R. No. 95, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A NATIONAL INCOME MAINTENANCE PROGRAM", was adopted.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 183) recommending that H.R. No. 88, as amended in HD 1, be adopted.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.R. No. 88, HD 1, entitled: "HOUSE RESOLUTION REQUESTING STUDY OF THE INCIDENCE OF ALCOHOLISM AMONG HAWAII'S ADOLESCENT POPULATION", was adopted.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 184) recommending that H.R. No. 162, as amended in HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Mina and carried, the report of the Committee was adopted and H.R. No. 162, HD 1, entitled: "HOUSE RESOLUTION REQUESTING EFFORTS TO DEFINE PLANNING TERMS", was adopted.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 185) recommending that H.R. No. 115 be adopted.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.R. No. 115, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ACQUIRING EXISTING UNSOLD DWELLING UNITS FOR ELDERLY HOUSING", was adopted.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 186) recommending that H.B. No. 854, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Ushijima moved that the report of the Committee be adopted and H.B. No. 854, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Abercrombie.

Representative Abercrombie then rose and stated:

"Mr. Speaker, I want to rise and speak in favor of sending Standing Committee Report No. 186, House Bill No. 854, House Draft 1, to Finance, but I have reservations I would like to state at this point."

Directed by the Chair to "proceed", Representative Abercrombie continued:

"Thank you.

Mr. Speaker, I think that the program involving the Marine Option Program is a very essential one to the State; however, in Committee, it became quite obvious that there are very, very important financial considerations that are involved in the Marine Option Program as it presently exists, and I urge everyone to vote to see this bill passed on to the Finance Committee. I hope everyone will take into account, especially the Finance Committee, that at least some of the programs involved in the Marine Option Program may be in active competition with private enterprise in the State; that they may be conducting some of their programs on very dubious grounds in respect of student employment; that there are wage and hour and work considerations involved that cannot be disguised by simply calling upon the enthusiasm of young people for the marine programs that may be invaluable in the State.

I think a very thorough review is in order as to what kinds of projects the Marine Option Program is involved in, and what the financial implication, both for the students involved for private industry and the public interest where private interest groups may be receiving benefits at public expense.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 854, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MARINE OPTION PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 187) recommending that H.B. No. 650, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Abercrombie and carried, the report of the Committee was adopted and H.B. No. 650, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM REVOLVING FUND", passed Second Reading and was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 188) recommending that H.B. No. 683 pass Second Reading and be referred to the Committee on Energy and Transportation.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 683, entitled: "A BILL FOR AN ACT RELATING TO RECONSTRUCTED VEHICLES", passed Second Reading and was referred to the Committee on Energy and Transportation.

Representative D. Yamada, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 189) recommending that H.B. No. 432, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy and Transportation.

Representative D. Yamada moved that the report of the majority of the Committee be adopted and H.B. No. 432, HD 1, pass Second Reading, seconded by Representative Cobb.

Representative Uwaine then rose to speak against the bill, stating:

"Mr. Speaker, we have here before this body a very questionable situation where we appear to be rewarding those who have, over the years, disregarded the law pertaining to truck weights, by legalizing the current overloading practice.

Mr. Speaker, this bill would allow the vehicle tandem axle load to be increased to 36,000 pounds while many of our older bridges on our non-interstate systems and local roads were designed for only 24,000 pounds or less.

Mr. Speaker, our bridges were not designed to sustain the overload proposed in this bill on a regular and continuous basis. Repeated overloading will adversely affect the life of these structures, many of which were built in the early 1900's; thus, Mr. Speaker, endangering the safety and well-being of the public.

Mr. Speaker, after hearing concurring testimony from the State Department of Transportation, I cannot, in good conscience, endorse such a measure which would jeopardize the lives of our people.

Mr. Speaker, with this in mind, I urge my colleagues to vote against this bill.

Thank you."

Representative D. Yamada then rose to speak in favor of this bill, stating:

"Mr. Speaker, a lot has been said about the possible danger to the lives and safety of the public and that is why the bill also includes on page 9, sub-section 8, that 'The Director of Transportation, in the case of State highways, or the County Engineer, in the case of county roads and streets, may limit the application of the weights. . . ' on certain highways or roads after an engineering investigation and analysis have proved that such have limited structural capacity.

Thank you."

Representative Uwaine, in rebuttal, stated:

"Mr. Speaker, after hearing testimonies from members of the State Department of Transportation, it was made clear to the Committee on Consumer Protection that, in no way, can an engineer or a maintenance man cover or inspect bridges, especially in the area of Hana and the rural areas of Oahu, as well as the neighbor islands. There is no way that he could assure the public that the bridge or structure could be maintained in a safe level. Of course, he could chip off some paint, inspect the termite-eaten wood, et cetera, but his inspection or his ability to assure the public that the bridges or structures are safe is limited.

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. 432, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE WEIGHT", passed Second Reading and was referred to the Committee on Energy and Transportation, with Representatives Abercrombie, Baker, Sutton and Uwaine voting no.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 190) recommending that H.R. No. 21 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.R. No. 21, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF CERTAIN BUSINESS REGISTRATION AND LICENSING PRACTICES AND COORDINATION THEREOF TO INSURE CONFORMANCE WITH BOTH", was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 191) recommending that H.R. No. 314 be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.R. No. 314, entitled: "HOUSE RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE TO DEVELOP AN IMPROVED METHOD OF FUMIGATION FOR FRESH PAPAYA AND KINDRED CROPS", was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 192) recommending that H.B. No. 182, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 182, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PESTICIDES LAW", passed Second Reading and was referred to the Committee on Judiciary.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No.

193) recommending that H.B. No. 849, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 849, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEED AND FORAGE RESEARCH PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 194) recommending that H.B. No. 832 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 832, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL EXHIBITS IN STATE AND COUNTY FAIRS", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 195) recommending that H.B. No. 831 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 831, entitled: "A BILL FOR AN ACT RELATING TO THE EXEMPTION FROM REAL PROPERTY TAXATION OF POULTRY AND LIVESTOCK IMPROVEMENTS", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 196) recommending that H.B. No. 830 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 830, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH AND DEVELOPMENT OF EFFECTIVE PESTICIDES FOR MINOR LOCAL CROPS", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the majority of the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 197) recommending that H.B. No. 827 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the majority of the Committee was adopted and H.B. No. 827, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY RELATING TO THE ESTABLISHMENT OF A BANANA PROCESSING FACILITY ON OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 198) recommending that H.B. No. 180 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 180, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 199) recommending that H.B. No. 828, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 828, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FARM LOAN PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 200) recommending that H.B. No. 684 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 684, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ANTENNA FOR WINDWARD OAHU", passed Second Reading and was referred to the Committee on Finance.

Representatives Say and Mizuguchi, for the Committees on Culture and the Arts and Education, presented a joint report (Stand. Com. Rep. No. 201) recommending that H.B. No. 688, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Mizuguchi and carried, the report of the Committees was adopted and H.B. No. 688, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE OPERATION OF NANAIIKA-PONO COMMUNITY-SCHOOL MUSEUM", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 202) recommending that H.B. No. 147, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uwaine, seconded by Representative Dods and carried, the report of the Committee was adopted and H.B. No. 147, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", passed Second Reading and was referred to the Committee on Finance.

At 11:55 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:56 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Fong, Kawakami and Toguchi.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 448 and 449) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 448) expressing best wishes to Margaret Ogawa upon her retirement was jointly offered by Representatives K. Yamada, Ajifu, Aki, Blair, Cayetano, Cobb, Dods, Evans, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Machida, Mina, Morioka, Naito, Nakamura, Narvaes, Poepoe, Say, Segawa, Shito, Stanley, Suwa, Takamine, Uechi, Ueoka, Yuen and Wakatsuki.

On motion by Representative K. Yamada, seconded by Representative

Takamine and carried, H.R. No. 448 was adopted.

A resolution (H.R. No. 449) expressing condolences on the passing away of the renown composer Don Phillip McDiarmid Sr. was jointly offered by Representatives Poepoe, Ajifu, Baker, Blair, Campbell, Cobb, Evans, Garcia, Ikeda, Kamalii, Kondo, Kunimura, Larsen, Lunasco, Medeiros, Mina, Mizuguchi, Morioka, Narvaes, Say, Sutton, Suwa, Takamine, K. Yamada and Yuen.

On motion by Representative Poepoe, seconded by Representative Medeiros and carried, H.R. No. 449 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 450 to 457) and concurrent resolutions (H.C.R. Nos. 75 to 78) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 3, 1977:

A resolution (H.R. No. 450) requesting staff development programs for nurses was jointly offered by Representatives Takamine, Inaba, Segawa, Suwa and K. Yamada.

A resolution (H.R. No. 451) requesting development of a Milolii-Honomalino water system was jointly offered by Representatives Takamine, Inaba, Segawa and K. Yamada.

A resolution (H.R. No. 452) requesting dormitory space for neighbor island community college students attending community colleges on Oahu was jointly offered by Representatives Takamine, Inaba, Segawa, Suwa and K. Yamada.

A resolution (H.R. No. 453) requesting the constitutional convention to consider constitutional provisions to ensure openness in government was offered by Representative Garcia (by request).

A resolution (H.R. No. 454) requesting the Department of Education to enforce Rule 14.1 relating to school vandalism was jointly offered by Representatives Mizuguchi, Blair, Caldito, Dods, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kunimura, Lunasco, Machida, Mina, Nakamura, Say, Segawa, Shito, Takamura, Toguchi, Ueoka, K. Yamada and Yuen.

A resolution (H.R. No. 455) requesting the Department of Education to develop a program design in offering

vocational courses to students in secondary schools was jointly offered by Representatives Mizuguchi, Blair, Caldito, Campbell, Dods, Inaba, Kawakami, Kihano, Kiyabu, Kunimura, Lunasco, Machida, Mina, Nakamura, Say, Segawa, Shito, Takamura, Toguchi, Ueoka, K. Yamada and Yuen.

A resolution (H.R. No. 456) requesting the Department of Education to develop an advanced placement curriculum design for public schools was jointly offered by Representatives Mizuguchi, Blair, Caldito, Campbell, Dods, Inaba, Kawakami, Kihano, Kiyabu, Kunimura, Lunasco, Machida, Mina, Nakamura, Say, Segawa, Shito, Takamura, Toguchi, Ueoka, K. Yamada and Yuen.

A resolution (H.R. No. 457) relating to State encouragement of private industry papaya marketing programs was jointly offered by Representatives Larsen, Uechi, Aki, Blair, Caldito, Carroll, Cobb, Dods, Evans, Fong, Inaba, Kawakami, Kondo, Kunimura, Lunasco, Medeiros, Morioka, Narvaes, Poepoe, Segawa, Sutton, Suwa, Takamine, Toguchi, Ueoka and K. Yamada.

A concurrent resolution (H.C.R. No. 75) requesting the Department of Taxation to make the State income tax return form conform as closely as possible to the Federal income tax return form was jointly offered by Representatives Takamine, Inaba, Segawa, Suwa and K. Yamada.

A concurrent resolution (H.C.R. No. 76) requesting the Governor of the State of Hawaii and the Mayors of the City and County of Honolulu, County of Hawaii, County of Maui and County of Kauai to encourage hiring authorities to strongly consider employment of SCET and CETA participants into regular positions was jointly offered by Representatives Takamine, Inaba, Peters, Segawa and K. Yamada.

A concurrent resolution (H.C.R. No. 77) requesting the release of funds for the Kapiolani Park tennis courts was offered by Representative Carroll.

A concurrent resolution (H.C.R. No. 78) relating to State encouragement of private industry papaya marketing programs was jointly offered by Representatives Larsen, Uechi, Aki, Blair, Caldito, Campbell, Carroll, Cobb, Dods, Evans, Fong, Inaba, Kawakami, Kondo, Kunimura, Lunasco,

Medeiros, Morioka, Narvaes, Poepoe, Segawa, Sutton, Suwa, Takamine, Toguchi, Ueoka and K. Yamada.

At 11:59 o'clock a.m., on request by Representative Kamalii, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:23 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii and carried, the rules were suspended for the purpose of considering Third Reading bills 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:

##### H.B. No. 155, HD 1:

On motion by Representative Kiyabu, seconded by Representative Mina and carried, H.B. No. 155, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICY PLANNING", passed Third Reading by a vote of 50 ayes, with Representative Stanley being excused.

##### H.B. No. 204, HD 1:

Representative Segawa moved that H.B. No. 204, HD 1, be recommitted to the Committee on Health inasmuch as an identical Senate bill has been received, and the Chair, noting that there were no objections, so ordered.

##### H.B. No. 103, HD 1:

On motion by Representative Shito, seconded by Representative Kawakami and carried, H.B. No. 103, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE-OWNED LANDS SUITABLE AND AVAILABLE FOR RESIDENTIAL DEVELOPMENT", passed Third Reading by a vote of 50 ayes, with Representative Stanley being excused.

##### H.B. No. 184, HD 1:

Representative Garcia requested that action on H.B. No. 184, HD 1, be deferred one day, and the Chair, noting that there were no objections, so ordered.

H.B. No. 732:

On motion by Representative Suwa, seconded by Representative Peters and carried, H.B. No. 732, entitled: "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAXES", passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Abercrombie and Sutton voting no, and Representative Stanley being excused.

H.B. No. 9:

Representative Suwa moved that H.B. No. 9, having been read throughout, pass Third Reading, seconded by Representative Peters.

Representative Sutton then rose and stated:

"Mr. Speaker, I rise to speak against House Bill No. 9.

Mr. Speaker, let me say initially that the sections of the law which this bill would amend--known generally as the Allotment System--have been part of the statutes of this State since the inception of statehood. And, they existed prior to that by administrative action when we were a territory. During all this time, we have generally been found to be appropriate and necessary to the State's overall financial management system, that we have the executive in a position to watch the fiscal responsibility. The requirement that expenditures be planned over the course of the year, that monies be allotted on a quarterly basis, and that the Governor shall exercise control over program expenditures through the allotment system are all part of a very well-accepted, Mr. Speaker, and time-tested government financial management practice.

Mr. Speaker, I believe that the provisions of House Bill No. 9 could very significantly alter the workings of the established allotment system and thereby, Mr. Speaker, jeopardize the Governor's right--you know, someday, we may have a Republican Governor, Mr. Speaker--and jeopardize the Governor's right to set program priorities for his administration within the guidelines set by this Legislature in this House. As written,

the bill allows department directors to set their own priorities within legislative guidelines which we will set down, Mr. Speaker, as the directors interpret those guidelines, Mr. Speaker, and they can interpret it differently than what we mean, and so long as their expenditures do not exceed a specific ceiling set by us. Now, Mr. Speaker, it appears possible that departmental directors could ignore priorities of the Governor and establish instead and carry through their own priorities. I do not believe that concept is in good keeping or consistent with the system of placing responsibility and accountability for the day-to-day management of the State government in the Office of the Governor as delineated by the State Constitution which five of us in this room helped write, Mr. Speaker. And they are right here and they are right in my vision, and the Chairman of the Finance Committee was in the Constitutional Convention. He sat next to me and he seconded everything I did. We do have a little diversion this morning, sir.

Now, finally, I do not concur with the proposed amendment that is going to change these words 'changing conditions' in Section 37-31 to 'changing revenue conditions' and you know that when there is anything judicial, and it is possible you might be adjudicating this and you would look for legislative intent, Mr. Speaker, and you would find we stuck in a word, not 'changing conditions', but 'changing revenue conditions', with respect to the powers of the Governor to effectuate savings. Savings is very important.

Now, the proposed language allows the Governor to institute savings only if revenue conditions change. This means that this body would disallow savings which are frequently possible due to various advancements; say, in technological areas, changes in the sizes, or changes of the target or, maybe, the clientele, and life is constantly changing. We had an awful lot of changes since previous sessions. We lost a whole industry--the sugar industry went down the rat hole.

Now, Mr. Speaker, it frequently happens that between the time that we are in session and we enact an Appropriation Bill and the time for the expenditure of these funds, a number of persons being served by our program decreases as, say, in the case of public school enrollment, the population is going down, or hospital

patients. Look at Kalaupapa--we have almost completely eliminated the need for Kalaupapa as a place for curing of leprosy. Similarly, Mr. Speaker, technological advancements may permit the substitution of a less expensive piece of equipment. We live in a computer age, Mr. Speaker. The language of the law, as proposed in this bill, seems to me to disallow the Governor from taking these things into consideration when effectuating savings in State government operations.

Now, Mr. Speaker, I suggest that we continue the existing status quo; it has worked very well. We have a very fine bond rating. We sold our bonds in New York for the lowest of any state in the Union, and we have one of the finest ratings--it is triple A now. It has gone from double A to triple A. My goodness, in school, I never got anything better than an A, Mr. Speaker. We have a triple A.

Now, Mr. Speaker, if you were the quarterback of a team, it is bad enough to have the plays sent in, but if you were told you can't even throw the ball, what sort of a quarterback will you be, Mr. Speaker? It is far, be it for me, to be the one that takes the place of a man who is having supper tonight--I said supper, not dinner. If I were having supper with Mr. Carter tonight, I am not his advocate on this floor; I am of a different party, but I am looking at the fiscal responsibility of the State of Hawaii and I don't feel we should infringe on that in any way, shape, or manner.

Thank you very much, Mr. Speaker, and would you please ask all my colleagues to vote 'no'."

Representative Suwa then rose to speak in favor of House Bill No. 9, stating:

"Mr. Speaker, in some of the deliberations made by the previous speaker, I should have risen on a point of order in the area when he said the State bond rating is triple A. I don't know where he got that; it is presently double A. If what he has said is going to be in the Journal, I have to rise to correct some of the things that he said.

Mr. Speaker, House Bill No. 9 tends to conform with the Governor's State of the State message in the Eighth Legislature. Therefore,

there is nothing new expressed in the departmental area, or in the role of the Department of Budget and Finance. I think what this points out is the fact that in formulating the budget, it is necessary that we conform to the wishes of the Governor per the Governor's message and memorandum sent out to each department that more program areas will be determined on the departmental level. Only in the area of fiscal integrity of the State will the allotment made by Budget and Finance be honored, but I am not disputing whether the area is carried out or not, although I think there is some misgivings in this area.

As to the second part, this bill tends to play a meaningful role for the Legislature. I think there is a separation of powers, and I think this is a step by step area that we would like to correct in the legislative process. I think this bill tends to address that in a manner that the Governor can live with it, and I am sure our legislative policies will be carried out by the Governor.

So, Mr. Speaker, I urge the members to support this measure."

Representative Sutton, in rebuttal, stated:

"Mr. Speaker, I will retract that double A as far as motives, but Standard and Poor in recommending a triple A. If we do pass a bill like this, so if the record will show a double A for motive and Standard and Poor in looking to us as to whether or not we shouldn't be triple A. If we pass a bill like this, we go down to B minus.

Now, Mr. Speaker, my distinguished colleague has brought up separation of powers. This is a constitutional doctrine which you and I know so well. It means that the executive, the judicial, and the legislative shall be separate. If you examine the implications of this bill, we, the Legislature, are violating the separation of powers by putting the executive in a position where, for all intents and purposes, he comes to us on bended knees when he finds himself in a position that he was in for the last year. This is a perfect example of why we should not pass a bill because of the doctrine of separation of powers.

Thank you very much."

Representative Suwa then rose and asked the Chair:

"May I have a second chance on

this measure?"

Directed by the Chair to "proceed", Representative Suwa stated:

"The area we addressed, which is the legislative role, is that when the revenue is estimated, it is not determined as realizing the revenue, and that is the only time the constitution spells out that the Governor may restrict. For that reason, we are just spelling out the area where the change is based on revenue, Mr. Speaker. Therefore, it is in the right approach to this whole matter.

Thank you, Mr. Speaker."

Representative Cobb then rose to speak in favor of House Bill No. 9, stating:

"Mr. Speaker, one of the earlier remarks was that the Governor has a right to restrict funds. I think that should be corrected that the Governor has a privilege to restrict funds or to withhold funds--a privilege in times of shortage or revenue granted by the people in the Constitution, and a privilege at other times for the transfer or withholding of funds granted by previous Legislatures. It is not an inherent right by any means.

Furthermore, Mr. Speaker, when we consider the question of the separation of powers, we had a similar situation existing on the national level; only it was called the impoundment of funds, and the national administration would refuse to spend what Congress had appropriated and the matter sent to the U.S. Supreme Court, and the U.S. Supreme Court held that the intent of a legislative body may not be forfeited in the absence of specific authorization and that funds may not be impounded, restricted, transferred or withheld in the absence of such authorization.

This bill, Mr. Speaker, is one of several measures being brought out by the Finance Committee to correct this problem. Others, of course, have included the legislative revenue estimating committee. In the past, we have required that reports be given. This is a logical follow-up to it and I think the Finance Chairman and his Committee deserve all support in the steps they are taking to insure that the legislative decisions we make on spending are, in fact, carried out after we adjourn, and I urge my colleagues

to support this bill."

Representative Kamalii then requested a roll call vote on this measure.

Roll call having been requested, the motion was put by the Chair and carried, and H.B. No. 9, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROLS TO BE EXERCISED IN THE EXECUTION OF THE BUDGET AND OTHER PROGRAM APPROPRIATIONS", having been read throughout, passed Third Reading by a vote of 41 ayes to 4 noes, with Representatives Ajifu, Evans, Kamalii and Sutton voting no, and Representatives Ikeda, Kunimura, Naito, Stanley, Toguchi and Ushijima being excused.

H.B. No. 619:

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, H.B. No. 619, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Third Reading by a vote of 45 ayes, with Representatives Ikeda, Kunimura, Naito, Stanley, Toguchi and Ushijima being excused.

H.B. No. 676:

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, H.B. No. 676, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY", passed Third Reading by a vote of 45 ayes, with Representatives Ikeda, Kunimura, Naito, Stanley, Toguchi and Ushijima being excused.

H.B. No. 679:

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, H.B. No. 679, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS", passed Third Reading by a vote of 45 ayes, with Representatives Ikeda, Kunimura, Naito, Stanley, Toguchi and Ushijima being excused.

H.B. No. 187:

On motion by Representative Uwaine, seconded by Representative Dods and carried, H.B. No. 187, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Third Reading by a vote of 45 ayes, with Representatives Ikeda, Kunimura, Naito, Stanley,

Toguchi and Ushijima being excused.

The Chair directed the Clerk to note that H.B. Nos. 155 had passed Third Reading at 12:35 o'clock p.m.; 103 and 732 at 12:39 o'clock p.m.; 9, 619, 676 and 679 at 12:40 o'clock p.m.; and 187 at 12:41 o'clock p.m.

At 12:42 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:43 o'clock p.m.

The Chair then made the following announcement:

"All Chairmen are requested to check your legislative timetable. March 16th is the absolute deadline for all House bills to pass this House

and that is not very far off."

#### COMMITTEE REASSIGNMENTS

At this time, the Chair re-referred the following bills:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
757	Committee on Education, then to the Committee on Finance
961	Committee on Public Assistance and Human Services, then to the Committee on Finance

#### ADJOURNMENT

At 12:48 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 11:15 o'clock a.m. tomorrow, Thursday, March 3, 1977.

## THIRTY-FIRST DAY

Thursday, March 3, 1977

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 11:15 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Faafouina Iofi of the Palolo United Methodist Church, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Kamalii and Stanley, who were excused.

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

On motion by Representative Yuen, seconded by Representative Ajifu and carried, reading of the Journal was dispensed with and the Journal of the Thirtieth Day was approved.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. No. 15 and 16) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 15) returning House Concurrent Resolution No. 74 which was adopted by the Senate on March 2, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 16) transmitting Senate Concurrent Resolution No. 107 commending Local 1186 of the International Brotherhood of Electrical Workers for initiating a reduced work week to combat unemployment in its ranks which was adopted by the Senate on March 2, 1977, was read by the Clerk and was placed on file.

On motion by Representative Yuen, seconded by Representative Ajifu and carried, S.C.R. No. 107 was adopted.

The following introductions were made to the members of the House:

Representative Kiyabu introduced twenty-two 5th grade students from Jefferson Elementary School, who were accompanied by their teacher, Mrs. Kay Sakuma.

Representative Uechi then introduced students from St. Elizabeth's School. They were accompanied by their teachers, Rose Mesick and Sister Rachel; and parents, Mrs. Paresa, Mrs. Marciel and Mrs. Ardisoni.

Representative Naito introduced Ms. Laurie Peterson, a Women's Political Caucus sister from Cleveland, Ohio.

Representative Carroll introduced Herbert Bonnie, former British boxing champion; and Mr. and Mrs. George Leal.

Representative Sutton introduced Mr. Ray Blue, a retired educator.

## ORDER OF THE DAY

## DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 450 to 457) and concurrent resolutions (H.C.R. Nos. 75 to 78) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
450	Committee on Health, then to the Committee on Finance
451	Committee on Water, Land Use, Development and Hawaiian Homes, then to the Committee on Finance
452	Committee on Higher Education
453	Committee on Judiciary
454	Committee on Education
455	Committee on Education
456	Committee on Education
457	Jointly to the Committees on Agriculture and Water, Land Use, Development and Hawaiian Homes

H.C.R. Nos.

75	Committee on Finance
76	Jointly to the Committees on Employment Opportunities and Labor Relations and Public Employment and Government Operations
77	Committee on Water, Land

- Use, Development and Hawaiian Homes
- 78 Jointly to the Committees on Agriculture and Water, Land Use, Development and Hawaiian Homes

1977):

By unanimous consent, action was deferred to the end of the calendar.

#### COMMITTEE REASSIGNMENTS

The following were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
757	Jointly to the Committees on Higher Education and Education, then to the Committee on Finance
1412	Committee on Youth and Elderly Affairs, then to the Committee on Finance
1568	Committee on Finance
1569	Committee on Finance
1605	Committee on Finance
1634	Committee on Finance
1635	Committee on Finance
1636	Committee on Finance
1637	Committee on Finance
1638	Committee on Finance
1639	Committee on Finance

#### H.R. Nos.

79	Jointly to the Committees on Employment Opportunities and Labor Relations and Health, then to the Committee on Legislative Management
110	Committee on Housing, then to the Committee on Legislative Management
442	Committee on Education, then to the Committee on Finance
446	Committee on Water, Land Use, Development and Hawaiian Homes, then to the Committee on Tourism

#### UNFINISHED BUSINESS

H.B. No. 184, HD 1, on Third Reading (Deferred from March 2,

#### STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 203) informing the House that House Resolution Nos. 447 to 457, House Concurrent Resolution Nos. 75 to 78 and House Standing Committee Report Nos. 204 to 215 have been printed and distributed.

On motion by Representative Morioka, seconded by Representative Peters and carried, the report of the Committee was adopted.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 204) recommending that H.B. No. 207, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 207, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE EMPLOYMENT PRACTICES LAW AND AMENDING CHAPTER 378, HAWAII REVISED STATUTES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 4, 1977.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 205) recommending that H.B. No. 212 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 212, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF WAGES AND OTHER COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 4, 1977.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 206) recommending that H.B. No. 681 pass Second Reading

and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Mina and carried, the report of the Committee was adopted and H.B. No. 681, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT ZONING", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 4, 1977.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 207) recommending that H.B. No. 101, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF PUBLIC LANDS FOR RESIDENTIAL PURPOSES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 4, 1977.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 208) recommending that H.R. No. 113 be adopted.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.R. No. 113, entitled: "HOUSE RESOLUTION REQUESTING PROMPT IMPLEMENTATION OF THE HOUSING REHABILITATION-RENOVATION PROGRAM ESTABLISHED BY ACT 178, SESSION LAWS OF HAWAII 1976", was adopted.

Representatives Shito and Aki, for the Committees on Housing and Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 209) recommending that H.R. No. 107, as amended in HD 1, be adopted.

On motion by Representative Shito, seconded by Representative Yuen and carried, the report of the Committees was adopted and H.R. No. 107, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF HOUSING PROGRAMS FOR THE ELDERLY", was adopted.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No.

210) recommending that H.B. No. 433 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 433, entitled: "A BILL FOR AN ACT RELATING TO ELECTION PRECINCT OFFICIALS", passed Second Reading and was referred to the Committee on Finance.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 211) recommending that H.B. No. 556, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 556, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAY OF JURORS", passed Second Reading and was referred to the Committee on Finance.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 212) recommending that H.B. No. 610 pass Second Reading and be referred to the Committee on Education.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 610, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL NEAR SCHOOLS", passed Second Reading and was referred to the Committee on Education.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 213) recommending that H.B. No. 75 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 75, entitled: "A BILL FOR AN ACT RELATING TO A MINIMUM EXCURSION PROGRAM IN THE SCHOOLS", passed Second Reading and was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 214) recommending that H.B. No.

1208 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 1208, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 4, 1977.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 215) recommending that H.B. No. 925, as amended in HD 1, be referred to the Committee on Education.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 925, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", was referred to the Committee on Education.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 207, HD 1; 212; 681; 101, HD 1; and 1208 were made available to the members of the House at 11:15 o'clock a.m.

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

Upon reconvening at 11:37 o'clock a.m., the Chair directed the Clerk to note the presence of Representative Kamalii.

#### INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 458) honoring Mrs. Felipa Sotto Cruce, named Pharmacist of the Year, was jointly offered by Representatives Kunimura, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada, Yuen and Wakatsuki, was read by the Clerk.

On motion by Representative Cayetano, seconded by Representative Kihano and carried, H.R. No. 458 was

adopted.

Representative Kunimura then rose and stated:

"Mr. Speaker and members of this House, I rise this morning with very lighthearted feelings to be given the opportunity to introduce a person of Mrs. Cruce's calibre, honesty and integrity to be introduced to this honorable body.

Now, being the first pharmacist of Filipino ancestry is very important in this cruel world where immigrants have a difficulty in breaking the barriers; but more important than that, to find the quality of human spirit in the business world is almost non-existent. I would like to explain this, Mr. Speaker, because it would have taken the resolution about five pages long to really express the contribution that Mrs. Cruce has made towards medicine in Hawaii.

The real story is, Mr. Speaker and members of this House, that medicine dispensed to our welfare recipients were in such a manner that they were not getting the best quality of medicine to begin with because the doctors who were dispensing these services and prescriptions were given maybe a year's supply of prescription - the medicine would be stale and maybe un-needed and thereby wasting valuable State assets - coming from within the profession, she felt that this practice was very, very bad, not honest and should be corrected.

Well, she had resistance from within her own profession and also from the medical profession, but her perseverance won out in the end and the Department of Social Services investigated and corrected this situation, thereby causing not multi-million dollars of savings, but a penny saved is a penny earned.

Mr. Speaker, I take very great pride in introducing to this honorable body, Mrs. Cruce, an honest businessman in this State of Hawaii."

At this time, Representative Kihano presented the honoree with a pikake lei and Representative Mina presented her with a certified copy of the resolution.

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

The House of Representatives reconvened at 11:52 o'clock a.m.

By unanimous consent, the following resolutions (H.R. Nos. 459 and 460)

and concurrent resolution (H.C.R. No. 79) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 4, 1977:

A resolution (H.R. No. 459) relating to oil reserves for the State of Hawaii was jointly offered by Representatives Campbell, Abercrombie, Blair, Caldito, Dods, Larsen, Lunasco, Machida, Narvaes, Segawa, Sutton, Takamura, Ueoka and Uwaine.

A resolution (H.R. No. 460) requesting the formation of a committee to review the goals, philosophy, and performance of the Department of Hawaiian Home Lands was offered by Representative Yuen.

A concurrent resolution (H.C.R. No. 79) requesting the formation of a committee to review the goals, philosophy, and performance of the Department of Hawaiian Home Lands was offered by Representative Yuen.

#### SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii 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

##### H.B. No. 618:

On motion by Representative D. Yamada, seconded by Representative Cobb, H.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Abercrombie and Stanley being excused.

#### DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

##### House Bill No. 184, HD 1:

Representative Garcia moved that H.B. No. 184, HD 1, having been read throughout, pass Third Reading, seconded by Representative K. Yamada.

Representative Sutton then asked:

"I would like a ruling on conflict."

The Chair asked Representative Sutton to state his conflict and Representative Sutton replied:

"I'm an attorney."

The Chair ruled: "No conflict", which was applicable to all attorneys in the House.

At the request of Representative Garcia, the following is inserted into the Journal:

"The main thing that this bill provides is that attorneys' fees are to be paid out of and not in addition to the amount of any judgment under the State Tort Liability Act. The bill also gives the courts discretion in awarding costs and fees under the Act.

The bill does not change present practice with respect to the awarding of attorneys' fees, except that the amount allowable has been increased from 20% to 33 1/3% to bring them more in line with attorneys' fees within the State.

The use of the word 'allows' does not interfere with the present practice with respect to private contractual arrangements and the bill allows the attorneys and their clients to contract for fees up to 33 1/3 % of the recovery."

The motion was put by the Chair and carried, and H.B. No. 184, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS AND FEES UNDER THE STATE TORT LIABILITY ACT", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Abercrombie and Stanley being excused.

The Chair directed the Clerk to note that H.B. Nos. 618 and 184, HD 1, had passed Third Reading at 11:53 o'clock a.m.

At this time, birthday greetings were extended to Representative Richard Caldito and Representative Kihano presented him with a floral arrangement on behalf of the members of the House.

#### ADJOURNMENT

At 11:59 o'clock a.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 10:30 o'clock a.m. tomorrow, Friday, March 4, 1977.

## THIRTY-SECOND DAY

Friday, March 4, 1977

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 10:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Guillermo Gorospe of Saint Theresa Church, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Aki, Baker, Caldito, Dods, Fong, Inaba, Kawakami, Kiyabu, Larsen, Mina, Nakamura, Peters, Poepoe, Say, Stanley, Takamura, Toguchi, Uechi and D. Yamada, who were excused.

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

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Thirty-First Day was approved.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 17 to 22) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 17) transmitting Senate Concurrent Resolution No. 4, supporting increased public involvement in environmental decision-making, which was adopted by the Senate on March 3, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 18) transmitting Senate Concurrent Resolution No. 39, calling upon the President of the United States and the Congress of the United States to establish a National Commission on Reform of Social Welfare Programs, which was adopted by the Senate on March 3, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 19) transmitting Senate Concurrent Resolution No. 43, requesting the Congress of the United States and the President of the United States to implement the recommendations of the National Conference of State Legislatures

relating to the AFDC Quality Control Program, which was adopted by the Senate on March 3, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 20) transmitting Senate Concurrent Resolution No. 48, requesting an audit of the General Assistance Program, which was adopted by the Senate on March 3, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 21) transmitting Senate Concurrent Resolution No. 63, encouraging citizens of Hawaii and the nation to support the activities of the American Land Trust, which was adopted by the Senate on March 3, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 22) transmitting Senate Concurrent Resolution No. 95, relating to human services program, which was adopted by the Senate on March 3, 1977, was placed on file.

By unanimous consent, action on S.C.R. Nos. 4, 39, 43, 48, 63 and 95 was deferred until later in the calendar.

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

Representative Ushijima introduced 60 second and third grade students from Manoa Elementary School. They were accompanied by their teachers, Ms. Lee Han, Ms. Carol Watase, Ms. Gladys Erhart and a student teacher, Miss Imai. Also accompanying the group were parents, Mrs. Tanaka and Mrs. Idejo.

Representative Naito introduced 65 sixth grade students from Waiālae Elementary School. They were accompanied by their teachers, Mrs. Lau, Miss Fujii and Miss Muranaka.

Representative Narvaes introduced 50 fourth grade students from Kalihi-Uka Elementary School. They were accompanied by their teachers, Mrs. Alice Takata, Mrs. Helen Nojima and Miss Terry King.

Representative Narvaes then introduced two legislative interns, Richard Helmer and Kurt Kunimune, seniors at Damien High School.

Representative Ueoka introduced 3 students who are "headed for Washington, D.C. and will have a unique opportunity to study the American government in action." They are as follows: Karen Nogami and David Wong from Lanai, and Mark Chinen from Mid-Pacific Institute. Also accompanying the students were Mr. and Mrs. James Wong, grandparents of David Wong.

At this time, the Chair directed the Clerk to note the presence of Representatives Abercrombie, Aki, Baker, Caldito, Dods, Fong, Inaba, Kawakami, Kiyabu, Larsen, Mina, Nakamura, Peters, Poepoe, Say, Takamura, Toguchi and Uechi.

#### ORDER OF THE DAY

##### DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 459 and 460) and concurrent resolutions (H.C.R. No. 79 and S.C.R. Nos. 4, 39, 43, 48, 63 and 95) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
459	Committee on Energy and Transportation
460	Committee on Water, Land Use, Development and Hawaiian Homes, then to the Committee on Legislative Management

<u>H.C.R. No.</u>	
79	Committee on Water, Land Use, Development and Hawaiian Homes, then to the Committee on Legislative Management

<u>S.C.R. Nos.</u>	
4	Committee on Ecology and Environment
39	Committee on Public Assistance and Human Services
43	Committee on Public Assistance and Human Services
48	Committee on Public Assistance and Human Services, then to the Committee on Finance
63	Jointly to the Committees on Ecology and Environment and Water, Land Use, Development and Hawaiian Homes

95	Jointly to the Committees on Public Assistance and Human Services, Health and Youth and Elderly Affairs, then to the Committee on Finance
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##### COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
181	Committee on Agriculture
343	Committee on Public Employment and Government Operations

The following resolution was re-referred as follows:

<u>H.R. No.</u>	
146	Committee on Tourism, then to the Committee on Legislative Management

##### STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 216) informing the House that House Resolution Nos. 458 to 460, House Concurrent Resolution No. 79, and Standing Committee Report Nos. 217 to 248, have been printed and distributed.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 217) recommending that H.B. Nos. 722, 753, 755, 826, 873, 886, 918, 919, 920, 946, 970, 972, 1037, 1042, 1043, 1054 and 1091 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and the following bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 722, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS FOR CLASSROOM BUILDINGS AND FACILITIES, KAUNAKAI SCHOOL, MOLOKAI".

H.B. No. 753, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUNSET BEACH ELEMENTARY SCHOOL".

H.B. No. 755, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAIE ELEMENTARY SCHOOL".

H.B. No. 826, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT LAIE ELEMENTARY SCHOOL".

H.B. No. 873, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPLEMENT PRIOR APPROPRIATION FOR COVERED PLAYCOURT, WAHIAWA INTERMEDIATE SCHOOL, WAHIAWA, OAHU (FUNDS TO BE SUPPLEMENTED FROM ITEM IV-F-11-9 OF ACT 195, SLH 1975)".

H.B. No. 886, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOLS OF THE 19TH REPRESENTATIVE DISTRICT".

H.B. No. 918, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPLEMENT PRIOR APPROPRIATION FOR THE PLANNING AND CONSTRUCTION FOR AN INDUSTRIAL ARTS/HOME ECONOMICS BUILDING, WAIALUA HIGH SCHOOL, WAIALUA, OAHU".

H.B. No. 919, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPLEMENT PRIOR APPROPRIATION FOR PLANNING AND CONSTRUCTION FOR AN INDUSTRIAL ARTS/HOME ECONOMICS BUILDING, WAIALUA HIGH SCHOOL, WAIALUA, OAHU".

H.B. No. 920, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ULTIMATE SITE PLAN REPORT, WAIALUA HIGH SCHOOL, WAIALUA, OAHU".

H.B. No. 946, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOLS WITHIN THE EIGHTH REPRESENTATIVE DISTRICT".

H.B. No. 970, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS FOR KAHUKU HIGH SCHOOL, LAIE ELEMENTARY SCHOOL, AND KAHUKU ELEMENTARY SCHOOL, OAHU".

H.B. No. 972, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENTS AT CERTAIN OAHU SCHOOLS".

H.B. No. 1037, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR IMPROVEMENTS IN THE TWENTY-FOURTH REPRESENTATIVE DISTRICT, OAHU".

H.B. No. 1042, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS FOR NINTH DISTRICT SCHOOLS, HONOLULU, OAHU."

H.B. No. 1043, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS FOR KAIMUKI HIGH SCHOOL, HONOLULU, OAHU."

H.B. No. 1054, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU."

H.B. No. 1091, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOLS WITHIN THE SEVENTH REPRESENTATIVE DISTRICT."

Representatives Say and Mizuguchi, for the Committees on Culture and the Arts and Education, presented a joint report (Stand. Com. Rep. No. 218) recommending that H.B. No. 1125 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Mizuguchi and carried, the report of the Committees was adopted and H.B. No. 1125, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RENOVATION OF THE HISTORICAL PRINT SHOP AT LAHAINA, MAUI", passed Second Reading and was referred to the Committee on Finance.

Representatives Say and Ushijima, for the Committees on Culture and the Arts and Higher Education, presented a joint report (Stand. Com. Rep. No. 219) recommending that H.B. No. 901, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Ushijima and carried, the report of the joint Committees was adopted and H.B. No. 901, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ETHNIC STUDIES ORAL HISTORY PROJECT", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 220) recommending that H.B. No. 1002,

as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Aki and carried, the report of the Committee was adopted and H.B. No. 1002, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN ETHNIC ARTIST ASSOCIATION", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 221) recommending that H.B. No. 1012, as amended in HD 1, pass Second reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Aki and carried, the report of the Committee was adopted and H.B. No. 1012, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE BISHOP MUSEUM", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 222) recommending that H.B. No. 609, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uwaine, seconded by Representative Dods and carried, the report of the Committee was adopted and H.B. No. 609, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT FOR SEWER WORKERS", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 223) recommending that H.B. No. 334, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 334, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OPERATION OF THE SPECIAL OLYMPICS PROGRAM", passed Second Reading and was referred to the

Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 224) recommending that H.B. No. 89, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 89, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PROGRAMS FOR THE HANDICAPPED", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 225) recommending that H.B. No. 198 pass Second Reading and be referred to the Committee on Ecology and Environment.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 198, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER", passed Second Reading and was referred to the Committee on Ecology and Environment.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 226) recommending that H.B. No. 379 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 379, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RADIATION SAFETY ACT", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 227) recommending that H.B. No. 483 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 483, entitled: "A BILL FOR AN ACT APPROPRIATION FOR THE VOLUNTEER INFORMATION AND REFERRAL SERVICE", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 228) recommending that H.B. No. 528 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 528, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO CHILDREN'S HOSPITAL", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 229) recommending that H.B. No. 579 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 579, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE HOUSE, INC.", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 230) recommending that H.B. No. 202 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 202, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION", passed Second Reading and was referred to the Committee on Judiciary.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 231) recommending that H.B. No. 308 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 308, entitled: "A BILL FOR AN ACT RELATING TO RAPE VICTIMS", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented

a report (Stand. Com. Rep. No. 232) recommending that H.B. No. 592 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 592, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM INCOME TAX", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 233) recommending that H.B. No. 687, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 687, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DIAGNOSTIC AND CRISIS INTERVENTION FACILITY", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 234) recommending that H.B. No. 754 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 754, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RENOVATION AND EXPANSION OF WAHIAWA GENERAL HOSPITAL", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 235) recommending that H.B. No. 367 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 367, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EQUIPMENT FOR THE RADIATION SAFETY PROGRAM OF THE DEPARTMENT OF HEALTH", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 236) recommending that H.B. No. 91, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 91, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH AND APPROPRIATING FUNDS THEREFOR", passed Second Reading and was referred to the Committee on Finance.

Representatives Segawa and Takamine, for the Committees on Health and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 237) recommending that H.R. No. 79, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Segawa, seconded by Representative Takamine and carried, the report of the Committees was adopted and H.R. No. 79, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN EVALUATION OF TOURISM PROMOTIONAL REPORTS", was referred to the Committee on Legislative Management, with Representative Sutton voting no.

Representative Machida, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 238) recommending that H.R. No. 145, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Machida, seconded by Representative Dods and carried, the report of the Committee was adopted and H.R. No. 145, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN EVALUATION OF TOURISM PROMOTIONAL REPORTS", was referred to the Committee on Legislative Management.

Representative Machida, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 239) recommending that H.R. No. 149, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Machida, seconded by Representative Dods and carried, the report of the Committee was adopted and H.R. No. 149, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON EFFORTS

TO IMPROVE AND ENHANCE THE CHARACTER OF WAIKIKI", was referred to the Committee on Legislative Management.

Representative Machida, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 240) recommending that H.R. No. 148, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Machida, seconded by Representative Dods and carried, the report of the Committee was adopted and H.R. No. 148, HD 1, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF EFFORTS TO INCREASE VISITOR SATISFACTION", was referred to the Committee on Legislative Management.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 241) recommending that H.B. No. 863 be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 863, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPY", was referred to the Committee on Consumer Protection and Commerce.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 242) recommending that H.B. Nos. 651 and 652 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the following bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 651, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PACIFIC INSTITUTE OF REHABILITATIVE MEDICINE, OAHU".

H.B. No. 652, entitled: "A BILL FOR AN ACT TO MAKE SUPPLEMENTARY APPROPRIATIONS FOR THE REHABILITATION HOSPITAL OF THE PACIFIC, FORMERLY THE PACIFIC INSTITUTE OF REHABILITATION MEDICINE".

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 243) recommending that H.B. No.

480, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 480, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC DIAGNOSIS AND APPROPRIATING FUNDS THEREFOR", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 244) recommending that H.B. No. 1103, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1103, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PO'AILANI HALFWAY HOUSE", passed Second Reading and was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 245) recommending that H.B. No. 194 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 194, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF RETIREMENT SYSTEM FUNDS IN INSURANCE COMPANY CONTRACTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 7, 1977.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 246) recommending that H.B. No. 178 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 178, entitled: "A BILL FOR AN ACT RELATING TO EXPORTS OF FLOWERS AND FOLIAGE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 7, 1977.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 247) recommending that H.B. No. 177 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 177, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 7, 1977.

The Chair directed the Clerk to note that printed copies of H.B. No. 194, 178 and 177 were made available to the members of the House at 10:30 o'clock a.m.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 248) recommending that H.B. No. 862, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 862, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE PO'AILANI HALFWAY HOUSE", passed Second Reading and was referred to the Committee on Finance.

#### INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 461 to 464) and concurrent resolution (H.C.R. No. 80) were referred to the Committee on Legislative Management and further action was deferred until Monday, March 7, 1977:

A resolution (H.R. No. 461) requesting a review of the special needs of students in smaller rural schools was jointly offered by Representatives Lunasco, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Machida, Medeiros, Mina, Mizuguchi, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Uwaine, K. Yamada and Yuen.

A resolution (H.R. No. 462) requesting the establishment of special education district centers was jointly offered by Representatives Shito, Mizuguchi, Aki, Evans, Kawakami, Kiyabu, Machida, Say, Takamine and Toguchi.

A resolution (H.R. No. 463) requesting the Fish and Game Division of the Department of Land and Natural Resources to conduct an investigation of the tilapia population in the State Capitol pools was offered by Representative Abercrombie.

A resolution (H.R. No. 464) requesting the television stations of Hawaii to refrain from showing commercials which stress youth was offered by Representative Yuen.

A concurrent resolution (H.C.R. No. 80) observing the Navy's violation of Executive Order 11593 and requesting the Congress of the United States to take immediate action that would halt the bombing of the island of Kaho'olawe, Hawai'i was jointly offered by Representatives Say, Mizuguchi, Aki, Campbell, Cayetano, Evans, Kawakami, Kiyabu, Machida, Peters, Poepoe, Segawa, Shito, Takamine, Takamura and Toguchi.

The following resolution (H.R. No. 465) was read by the Clerk and was disposed of as follows:

A resolution (H.R. No. 465) congratulating Kalani High School Band was jointly offered by Representatives Kiyabu, Abercrombie, Ajifu, Baker, Blair, Caldito, Campbell, Cobb, Dods, Ikeda, Inaba, Kondo, Kunimura, Larsen, Lunasco, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Suwa, Takamine, Toguchi, Ueoka, Ushijima, Uwaine and D. Yamada.

On motion by Representative Kiyabu, seconded by Representative Naito and carried, H.R. No. 465 was adopted.

At 10:45 o'clock a.m., on request by Representative Kunimura, 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 D. Yamada.

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

Representative Peters introduced 50 students (Juniors and Seniors) from Campbell High School. They were accompanied by their teachers, Ms. Carol Honda and Mr. David Hirano.

Representative K. Yamada introduced his aunt, Mrs. Dorothy Harada, and her guest, Mr. Tom Robinson, from Huntington Beach, California.

#### SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii 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:

##### H.B. No. 207, HD 1:

On motion by Representative Takamine, seconded by Representative Peters, H.B. No. 207, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE EMPLOYMENT PRACTICES LAW AND AMENDING CHAPTER 378, HAWAII REVISED STATUTES", passed Third Reading by a vote of 49 ayes, with Representatives Blair and Stanley being excused.

##### H.B. No. 212:

On motion by Representative Takamine, seconded by Representative Peters, H.B. No. 212, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF WAGES AND OTHER COMPENSATION", passed Third Reading by a vote of 49 ayes, with Representatives Blair and Stanley being excused.

##### H.B. No. 681:

On motion by Representative Kiyabu, seconded by Representative Mina and carried, H.B. No. 681 was recommitted to the Committee on State General Planning.

##### H.B. No. 101, HD 1:

Representative Shito requested

that action on H.B. No. 101, HD 1, be deferred until Monday, March 7, 1977, and the Chair, noting that there were no objections, so ordered.

H.B. No. 1208:

On motion by Representative Suwa, seconded by Representative Peters, H.B. No. 1208, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS", passed Third Reading by a vote of 49 ayes, with Representatives Blair and Stanley being excused.

The Chair directed the Clerk to note that H.B. Nos. 207 and 212 had passed Third Reading at 11:17 o'clock a.m. and H.B. No. 1208 had passed Third Reading at 11:19 o'clock a.m.

At 11:20 o'clock a.m., on request by Representative Abercrombie, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:21 o'clock a.m.

At this time, Representative Kunimura rose on a point of information and asked "if Representative Sutton will yield because the curiosity is killing me and may I request that. . ."

At this point, the Chair interrupted and asked Representative Sutton if he would yield to which Representative Sutton answered:

"Mr. Speaker, I was headed out for a party. . ."

Representative Kunimura interrupted and stated:

"Mr. Speaker, I did not ask the question."

The Chair then asked Representative Sutton if he would yield to Representative Kunimura, to which Representative Sutton replied in the affirmative.

Representative Kunimura then rose and stated:

"Mr. Speaker, I withdraw my question."

Representative Kunimura then rose and stated:

"Mr. Speaker, after thinking it over, I am a mean man but not

a cruel person and, therefore, I don't want to be blamed if anything should happen to my friend from Nuuanu because he may be afflicted with asphyxiation, and I know he wants to tell us what happened to his neck, so may I request Representative Sutton if he would be kind enough to tell us what happened to his neck?"

The Chair remarked:

"If only he will promise to limit it to half a minute."

Representative Sutton then asked:

"And, Mr. Speaker, will you suspend the rules so I can describe it aptly?"

The Chair replied:

"I notice that it hasn't affected your vocal cords. Proceed."

Representative Sutton then stated:

"That is because the Republican Party has three beautiful women, and they are all former nurses, and they have all administered to me today. I used to play football and tried to get hurt because, then, the girls would give you more sympathy, and that was what I had here because with these three beautiful women--look at Kinau Boyd Kamalii; look at Donna--Donna, would you rise? And Faith Evans--she's a registered nurse."

Representative Abercrombie then rose and asked whether or not Representative Sutton would yield to a question to which Representative Sutton replied:

"I will yield to this former tenant of mine if he will sometimes try to make up the deficit which is way overdue."

Representative Abercrombie then asked:

"Mr. Speaker, my question was-- I wonder if sympathy was all Representative Sutton ever got or not?"

Representative Sutton replied:

"What else I got, I don't talk about."

Representative Kunimura then asked:

"Mr. Speaker, then am I to understand that the three beautiful girls gave Representative Sutton what he justly deserves--one in the neck?"

ADJOURNMENT

At 11:26 o'clock a.m., on motion

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by Representative Yuen, seconded  
by Representative Kamalii and carried,  
the House of Representatives adjourned  
to 11:15 o'clock a.m. on Monday,  
March 7, 1977.

## THIRTY-THIRD DAY

Monday, March 7, 1977

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 11:15 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Edmond Walker of the Hawaii Baptist Convention, after which the Roll was called showing all members present with the exception of Representative Ajifu, who was excused.

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

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Thirty-Second Day was approved.

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

Representative Sutton introduced 8th grade students from Kawananaoka Intermediate School, who were accompanied by their teacher, Mrs. Dutcher; and Mr. and Mrs. Clyde A. Siegel from Westmoreland, Pennsylvania.

Representative Kamalii introduced Mr. Whitney T. Anderson, president of the State Association of Hawaiian Civic Clubs; and Keahi Allen, "who has done an excellent job of the Kamehameha Day Parade", as chairman for many years.

## SUSPENSION OF RULES

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

## INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 466 to 469) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 466) honoring Joseph Paul Leong upon his selection as the recipient of the Outstanding Hawaiian Civic Club Member Award was jointly offered by Representatives

Lunasco, Nakamura, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Lunasco, seconded by Representative Nakamura and carried, H.R. No. 466 was adopted.

Representative Lunasco then rose and introduced the honoree, stating:

"On behalf of Representative Nakamura and myself, it gives me great pleasure to introduce an individual whom I have had the privilege of working with, for so many years, in the community I represent.

I can assure the members here that he has done a tremendous job, as far as I'm concerned, in my district.

At this time, I would like to introduce the Hawaiian Civic Club Member of the Year, Mr. Joe Leong."

Representative Evans then presented the honoree with a red carnation and maile lei and Representative Nakamura presented him with a certified copy of the resolution.

A resolution (H.R. No. 467) honoring Noel Kawachi on his selection as Teacher of the Year was jointly offered by Representatives Lunasco, Nakamura, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Lunasco, seconded by Representative Nakamura and carried, H.R. No. 467 was adopted.

Representative Lunasco then rose

and stated:

"Mr. Speaker, at this time, I would like to introduce an individual with whom I have also had the privilege of working with at Waiialua High School, my old alma mater. And, believe me, I still wonder how come he has so much energy after a long day at work; in fact, he never seems to give up; sometimes I think he thinks he lives at Waiialua High School.

"At this time, I would like to introduce Noel Kawachi."

The honoree was presented with a red carnation lei by Representative Naito and Representative Nakamura presented him with a certified copy of the resolution.

A resolution (H.R. No. 468) congratulating Edith Kekuhikuhipu'uone Kanaka'ole for being selected the winner of the Outstanding Hawaiian award by the State Association of Hawaiian Civic Clubs was jointly offered by Representatives Kamalii, Ajifu, Baker, Blair, Caldito, Campbell, Cayetano, Dods, Evans, Garcia, Ikeda, Inaba, Kawakami, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Narvaes, Peters, Say, Shito, Sutton, Suwa, Takamura, Uechi, Ueoka, K. Yamada and Yuen.

On motion by Representative Kamalii, seconded by Representative Peters and carried, H.R. No. 468 was adopted.

Representative Kamalii then rose and stated:

"Mr. Speaker and members of the House, so long as there are people like Aunty Edith Kekuhikuhipu'uone Kanaka'ole, our land will never lack for Hawaiian traditions. The range and depth of this Hawaiian woman's cultural pursuits span the entire range of Hawaiian history, music, dance, literature and ethnobotany. She is, in my mind, a genuine Hawaiian cultural resource and I am proud, my fellow colleagues, for this honor to introduce Aunty Edith Kekuhikuhipu'uone Kanaka'ole to this honorable body."

Representative Peters then presented her with a red carnation and maile lei and Representative Kamalii presented the honoree with a certified copy of the resolution.

A resolution (H.R. No. 469) congratulating the Kaumuali'i Hawaiian

Civic Club for being named the Outstanding Hawaiian Civic Club for 1976 was jointly offered by Representatives Kamalii, Kunimura, Ajifu, Baker, Caldito, Campbell, Evans, Kawakami, Kihano, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Narvaes, Say, Sutton, Suwa, Ueoka, K. Yamada and Yuen.

On motion by Representative Kamalii, seconded by Representative Kunimura and carried, H.R. No. 469 was adopted.

Representative Kamalii then made the following introduction:

"Mr. Speaker and members of the House, when it comes to community good deeds and furtherance of American and Hawaiian ideals, the Hawaiian Civic Clubs take a back seat to none. It gives me great pleasure and honor to introduce Aunty Julia Chandler, President of the Kaumuali'i Hawaiian Civic Club from Kauai, who is the Club, as stated in the resolution, the winner of the 1976 Outstanding Hawaiian Civic Club award.

Aunty Julia is here at her own expense to accept this honor that we bestow on her and her Club today."

Representative Kunimura presented Aunty Julia with a red carnation and maile lei and Representative Kamalii presented her with a certified copy of the resolution.

At 11:41 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:55 o'clock a.m.

#### ORDER OF THE DAY

#### DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 461 to 464) and concurrent resolution (H.C.R. No. 80) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
461	Committee on Education
462	Committee on Education, then to the Committee on Finance
463	Committee on Water, Land Use, Development and Hawaiian Homes

464 Committee on Youth and  
Elderly Affairs

H.C.R. No.

80 Committee on Water, Land  
Use, Development and Hawaiian  
Homes, then to the Committee on  
Culture and the Arts

COMMITTEE REASSIGNMENT

H.B. No. 1283 was re-referred jointly to the Committees on Health and Public Assistance and Human Services, then to the Committee on Finance.

UNFINISHED BUSINESS

H.B. No. 200 on Third Reading  
(Deferred from March 1, 1977):

On motion by Representative Segawa, seconded by Representative Shito and carried, H.B. No. 200 was recommitted to the Committee on Health.

H.B. No. 101, HD 1 on Third Reading (Deferred from March 4, 1977):

On motion by Representative Shito, seconded by Representative Nakamura and carried, H.B. No. 101, HD 1, was recommitted to the Committee on Housing.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 249) informing the House that House Resolution Nos. 461 to 465, House Concurrent Resolution No. 80, and Standing Committee Report Nos. 250 to 268, have been printed and distributed.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted.

Representatives Mizuguchi and Ushijima, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 250) recommending that H.B. No. 757 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Ushijima and carried, the report of the Committees was adopted and H.B. No. 757, entitled: "A BILL FOR AN ACT RELATING TO A PILOT PROJECT FOR A CAREER OPPORTUNITIES PROGRAM AND MAKING AN APPROPRIATION THEREFOR", passed Second Reading and was referred to the Committee on Finance.

Representatives D. Yamada and Garcia, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 251) recommending that H.B. No. 57, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Garcia and carried, the report of the Committees was adopted and H.B. No. 57, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 252) recommending that H.B. No. 927 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 927, entitled: "A BILL FOR AN ACT RELATING TO POISONS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 253) recommending that H.B. No. 930 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 930, entitled: "A BILL FOR AN ACT RELATING TO CREDIT CARD OFFENSES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 254) recommending that H.B. No. 680, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 680, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW AND THE CONTRACTORS RECOVERY FUND", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 255) recommending that H.B. No. 229 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 229, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 256) recommending that H.B. No. 575, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 575, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USURY", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 57, HD 1; 927; 930; 680, HD 1; 229 and 575, HD 1, were made available to the members of the House at 11:15 o'clock a.m.

Representative Baker, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No.

257) recommending that H.R. No. 238 be referred to the Committee on State General Planning.

On motion by Representative Baker, seconded by Representative Ushijima and carried, the report of the Committee was adopted and H.R. No. 238, entitled: "HOUSE RESOLUTION REQUESTING CONGRESS TO STUDY IMMIGRATION", was referred to the Committee on State General Planning.

Representative Baker, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 258) recommending that H.B. No. 1132 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Ushijima and carried, the report of the Committee was adopted and H.B. No. 1132, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE WELFARE RECIPIENTS ADVISORY COUNCIL", passed Second Reading and was referred to the Committee on Finance.

Representative Baker, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 259) recommending that H.B. No. 962 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Ushijima and carried, the report of the Committee was adopted and H.B. No. 962, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO OPERATE COMMUNITY ACTION AGENCIES", passed Second Reading and was referred to the Committee on Finance.

Representative Baker, for the majority of the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 260) recommending that H.B. No. 878, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Ushijima and carried, the report of the majority of the Committee was adopted and H.B. No. 878, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Finance.

Representative Baker, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 261) recommending that H.B. No. 961 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Ushijima and carried, the report of the Committee was adopted and H.B. No. 961, entitled: "A BILL FOR AN ACT RELATING TO A PUBLIC ASSISTANCE REFEREE AND APPROPRIATIONS", passed Second Reading and was referred to the Committee on Finance.

Representative Baker, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 262) recommending that H.B. No. 861 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Ushijima and carried, the report of the Committee was adopted and H.B. No. 861, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONTINUING THE OPERATIONS OF THE KALIHI-PALAMA IMMIGRANT SERVICES CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Baker, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 263) recommending that H.B. No. 768, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Ushijima and carried, the report of the Committee was adopted and H.B. No. 768, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 264) recommending that H.R. No. 316, as amended in HD 1, be adopted.

On motion by Representative Inaba, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.R. No. 316, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CIVIL AERONAUTICS BOARD, THE UNITED STATES DEPARTMENT OF AGRICULTURE, AND THE STATE

DEPARTMENTS OF AGRICULTURE, TRANSPORTATION, AND PLANNING AND ECONOMIC DEVELOPMENT TO INTERVENE TO AMELIORATE AIR FREIGHT RATES FOR HAWAIIAN FLOWERS", was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 265) recommending that H.C.R. No. 35, as amended in HD 1, be adopted.

On motion by Representative Inaba, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.C.R. No. 35, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF AGRICULTURE, THE STATE DEPARTMENTS OF AGRICULTURE, TRANSPORTATION, AND PLANNING AND ECONOMIC DEVELOPMENT, AND THE DELEGATION TO THE CONGRESS FROM THE STATE OF HAWAII TO INTERVENE WITH THE CIVIL AERONAUTICS BOARD TO AMELIORATE AIR FREIGHT RATES FOR HAWAIIAN FLOWERS", was adopted.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 266) recommending that H.B. No. 43, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 43, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 267) recommending that H.B. No. 1292, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 1292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

The Chair directed the Clerk to

note that printed copies of H.B. Nos. 43, HD 1 and 1292, HD 1, were made available to the members of the House at 11:15 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 268) recommending that H.B. No. 12, as amended in HD 1, be recommitted to the Committee on Finance.

#### INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 470 to 473) were referred to the Committee on Legislative Management and further action was deferred until Tuesday, March 8, 1977:

A resolution (H.R. No. 470) honoring Kane Fernandez for being selected Hawaiian Businessman of the Year was jointly offered by Representatives Kamalii, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada, Yuen and Wakatsuki.

A resolution (H.R. No. 471) requesting a study on the juvenile justice master plan was offered by Representative Naito.

A resolution (H.R. No. 472) requesting a study of correctional facilities was offered by Representative Naito.

A resolution (H.R. No. 473) requesting a study on the correctional system for women was offered by Representative Naito.

#### SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii 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:

#### H.B. No. 194:

On motion by Representative Suwa, seconded by Representative Peters, H.B. No. 194, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF RETIREMENT SYSTEM FUNDS IN INSURANCE COMPANY CONTRACTS", passed Third Reading by a vote of 50 ayes, with Representative Ajifu being excused.

#### H.B. No. 178:

On motion by Representative Uechi, seconded by Representative Inaba, H.B. No. 178, entitled: "A BILL FOR AN ACT RELATING TO EXPORTS OF FLOWERS AND FOLIAGE", passed Third Reading by a vote of 50 ayes, with Representative Ajifu being excused.

#### H.B. No. 177:

Representative Uechi requested that action on H.B. No. 177 be deferred for one day and the Chair, noting that there were no objections, so ordered.

The Chair directed the Clerk to note that H.B. Nos. 194 and 178 had passed Third Reading at 12:02 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 269) recommending that H.B. No. 1671, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 1671, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE MORTGAGE GUARANTEES", 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. 270) recommending that H.B. No. 1678 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 1678,

entitled: "A BILL FOR AN ACT RELATING TO HOUSING", 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. 271) recommending that H.B. No. 1672, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 1672, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A MORTGAGE-BACKED SECURITY PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Shito, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 272) recommending that H.B. No. 1674 pass Second Reading and be referred to the Committee on Water, Land Use, Development and Hawaiian Homes.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the majority of the Committee was adopted and H.B. No. 1674, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was referred to the Committee on Water, Land Use, Development and Hawaiian Homes.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 273) recommending that H.B. No. 1258 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 1258, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was referred to the Committee on Finance.

Representative Shito, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 274) recommending that H.B. No. 1680 pass Second Reading and be referred to the Committee on Finance.

Representative Shito moved that the report of the majority of the Committee be adopted and that H.B.

No. 1680 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Nakamura.

Representative Sutton, upon being recognized, stated:

"Mr. Speaker, addressing your attention to Standing Committee Report No. 274, House Bill No. 1680, I rise to speak against it."

Upon being directed by the Chair to "proceed", Representative Sutton stated:

"Mr. Speaker, we established a revolving fund for the purpose of establishing dwelling units; and the purpose of this particular bill is to do a bookkeeping amendment - previous appropriation of \$20 million, made in 1974, inadvertently escaped amendment, thereby causing an item veto by the governor.

The \$125 million specified, therefore, was reduced to \$105 million because of the \$20 million authorization in 1975. Had the governor not vetoed this item, the bond authorization would have been raised then, Mr. Speaker, to \$145 million.

This is labeled as a housekeeping measure and seeks to repeal the \$20 million that was authorized in 1975 and restore the \$125 million in bond authorization limits.

Now, Mr. Speaker, housekeeping is one thing; a bookkeeping error of \$20 million is another; and, now, we're gonna have a third, a \$6 million dollar correction - it will be coming in.

Mr. Speaker, it seems to me that somebody should do their homework a little better on the other side.

Thank you."

Representative Shito then rose to speak in favor of the bill, stating:

"I think the representative who just spoke realizes that this is just a cleaning measure so that it truly reflects \$125 million instead of \$145 million. The reference to the \$6 million has no reference to this particular bill here. So I urge all members to vote aye."

The motion was put by the Chair and the report of the majority of the Committee was adopted and H.B. No. 1680, entitled: "A BILL FOR AN ACT RELATING TO THE DWELLING

UNIT REVOLVING FUND", passed Second Reading and was referred to the Committee on Finance, with Representative Sutton voting no.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 275) recommending that H.B. No. 1681, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 1681, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", 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. 276) recommending that H.B. No. 1256 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 1256, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", 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. 277) recommending that H.B. No. 941, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 941, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", 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. 278) recommending that H.B. No. 1144, as amended in HD 1, pass Second Reading and be referred to the Committee on State General Planning.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 1144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed

Second Reading and was referred to the Committee on State General Planning.

Representatives Kiyabu and Takamine, for the Committees on State General Planning and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 279) recommending that H.B. No. 1357, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kiyabu, seconded by Representative Takamine and carried, the report of the Committees was adopted and H.B. No. 1357, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PROGRAM TO DISCOURAGE IN-MIGRATION TO HAWAII", passed Second Reading and was referred to the Committee on Finance, with Representatives Blair, Cobb, Sutton, Ueoka and Uwaine voting no.

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

The House of Representatives reconvened at 12:15 o'clock p.m.

#### RECONSIDERATION OF ACTION TAKEN

Representative Machida moved that the House reconsider its action taken on Friday, March 4, 1977, on Stand. Com. Rep. No. 239 on H.R. No. 149, HD 1, seconded by Representative Dods and carried.

The Chair, at this time, re-referred H.R. No. 149, HD 1, to the Committee on Tourism only.

At 12:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:17 o'clock p.m., Representative Machida moved that the report of the Committee be adopted and, notwithstanding the report of the Committee that H.R. No. 149, as amended in HD 1, be referred to the Committee on Legislative Management, that H.R. No. 149, as amended in HD 1, be adopted.

Representative Dods seconded the motion.

At 12:19 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:20 o'clock p.m.

The motion was put by the Chair and carried and the report of the Committee was adopted and notwithstanding the recommendation of the Committee, H.R. No. 149, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON EFFORTS TO IMPROVE AND ENHANCE THE CHARACTER OF WAIKIKI", was adopted.

The Chair, at this time, made the following announcement:

"The Chair would like to announce that session will reconvene at 6:00 o'clock p.m. and at 10:00 o'clock p.m. today."

At 12:25 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House stood in recess until 6:00 o'clock p.m. this evening.

#### EVENING SESSION

Upon reconvening at 6:12 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Ajifu.

#### STANDING COMMITTEE REPORTS

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 280) recommending that H.B. No. 1337, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1337, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANAEE-NANAKULI EDUCATION CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 281) recommending that H.B. No. 1336 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1336,

entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KALIHI-PALAMA EDUCATION CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 282) recommending that H.B. No. 1332 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1332, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN STUDIES PROGRAM AT THE UNIVERSITY OF HAWAII AT MANOA, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 283) recommending that H.B. No. 1334 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1334, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR OPERATION MANONG, UNIVERSITY OF HAWAII AT MANOA, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 284) recommending that H.B. No. 1333 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1333, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PHILIPPINE STUDIES PROGRAM AT THE UNIVERSITY OF HAWAII AT MANOA, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 285) recommending that H.B. No. 1087, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1087, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO EXPAND RESEARCH FACILITIES OF THE MAUI BRANCH STATION OF THE HAWAII AGRICULTURAL EXPERIMENT STATION, COLLEGE OF TROPICAL AGRICULTURE, UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 286) recommending that H.B. No. 1263 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1263, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RESTORATION AND FILLING OF A POSITION OF A 4-H YOUTH DEVELOPMENT AGENT FOR MAUI COUNTY", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 287) recommending that H.B. No. 1183 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1183, entitled: "A BILL FOR AN ACT ESTABLISHING A DUPLICATING SERVICES REVOLVING FUND FOR THE UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 288) recommending that H.B. No. 974, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 974, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RESTORATION AND FILLING OF THE VACANT OFFICE SECRETARY POSITION FOR THE MOLOKAI COOPERA-

TIVE EXTENSION SERVICE OFFICE", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 289) recommending that H.B. No. 1185, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1185, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VEGETABLE RESEARCH ON MAUI AT THE MAUI AGRICULTURAL RESEARCH STATION, COLLEGE OF TROPICAL AGRICULTURE, UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 290) recommending that H.B. No. 1159 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1159, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATE-WIDE INTERCOLLEGIATE ATHLETIC PROGRAM FOR THE COMMUNITY COLLEGES", 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. 291) recommending that H.B. No. 1679, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.B. No. 1679, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 292) recommending that H.B. No. 107, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee

was adopted and H.B. No. 107, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE PRODUCTION AND MARKETING OF HAWAIIAN AGRICULTURAL COMMODITIES", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 293) recommending that H.B. No. 106, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 106, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE TRANSPORTATION SYSTEMS FOR HAWAIIAN AGRICULTURAL COMMODITIES", passed Second Reading and was referred to the Committee on Finance.

Representative D. Yamada, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 294) recommending that H.B. No. 565, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the majority of the Committee was adopted and H.B. No. 565, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEHAVIORAL SCIENTISTS", passed Second Reading and was referred to the Committee on Finance, with Representatives Blair and Larsen voting no.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 295) recommending that H.B. No. 230, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 230, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the

Committee on Higher Education, presented a report (Stand. Com. Rep. No. 296) recommending that H.B. No. 1085, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1085, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE TRUCK-CROP INDUSTRY IN WEST OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 297) recommending that H.B. No. 712, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 712, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF PUBLIC UTILITIES", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 298) recommending that H.B. No. 1295 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1295, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL CENTER OF THE UNIVERSITY OF HAWAII AND PROVIDING AN APPROPRIATION THEREFOR", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 299) recommending that H.B. No. 1615 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1615, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE OPERATIONS OF THE AGRICULTURAL SERVICE CENTER, COLLEGE OF TROPICAL AGRICULTURE, UNIVERSITY OF HAWAII", passed Second Reading and was referred

to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 300) recommending that H.B. No. 1205, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1205, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTINUING EDUCATION FOR WOMEN", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 301) recommending that H.B. No. 1459 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1459, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CURRENT EXPENSES AND EQUIPMENT FOR THE VOCATIONAL/TECHNICAL EDUCATION PROGRAM AT LEEWARD COMMUNITY COLLEGE", passed Second Reading and was referred to the Committee on Finance.

At 6:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:20 o'clock p.m.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 302) recommending that H.B. No. 1491, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Abercrombie and carried, the report of the Committee was adopted and H.B. No. 1491, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR LABOR EDUCATION AND RESEARCH AT THE UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com.

Rep. No. 303) recommending that H.B. No. 728, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Abercrombie and carried, the report of the Committee was adopted and H.B. No. 728, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE POSTSECONDARY EDUCATION COMMISSION", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 304) recommending that H.B. No. 1329, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Abercrombie and carried, the report of the Committee was adopted and H.B. No. 1329, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION OF PHYSICALLY HANDICAPPED STUDENTS", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 305) recommending that H.B. No. 1716, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Abercrombie and carried, the report of the Committee was adopted and H.B. No. 1716, HD 1, entitled: "A BILL FOR AN ACT TO PROVIDE ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 306) recommending that H.B. No. 205, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Sutton then rose to speak against the bill, stating:

"Mr. Speaker, evidently the attempt is to remove prohibitionist sale of prophylactics in vending machines and allow them to be sold under the regulation of George Yuen's Department of Health.

We do have a problem, Mr. Speaker,

in this State, but it isn't solved by making things of this nature more accessible.

Mr. Speaker, if you will look at the various states of the union, you will find that those that have tried this concept of prophylactics sale through vending machines have found that the immense amount of availability has only opened other practices. And, Mr. Speaker, it is very well known that when things are accessible, then they are more easily converted into action. Mr. Speaker, I do have to speak quite delicately; I hope I am reaching you with the concepts.

Mr. Speaker, we have seen two of the great leagues - the Episcopal Church, which I am the chief judge, sir, and the Catholic Church, where we have numerous members - and they have indicated to us some very sound arguments in the hearings, and these arguments were enunciated by Mrs. Gerri Madden. What she pointed out was this: that you do not cure V.D. by having a vending machine next door; that you cure V.D. by the appropriate health measure; and that there is some strange concept that by having the Health Department control this, all of a sudden we have come into a health issue.

Mr. Speaker, labels do not change the basic concepts - as Shakespeare said: 'A rose by any other name'.

Mr. Speaker, we find ourselves, this evening, with a proposition where we could kill this bill on second reading, and I ask all my colleagues to do so."

Representative Abercrombie then rose and upon being recognized, stated:

"I rise to speak in favor and in so doing indicate that I believe that the previous speaker's arguments are full of holes."

Representative Segawa then rose to speak in favor of the bill, stating:

"Mr. Speaker, I realize that this is a very emotional subject because it's very close to the body, but I would like for the members of this august body to peruse the statistics that are available - the prevailing problems throughout our communities. And while we need some of the preventive measures presented by some such as Gerri

Madden, I'm afraid that such a person would not have the time to get around to all the girls who are saying yes. So, in view of this, I would like to ask this body to please vote for this bill."

The Chair, at this time, stated:

"Let's not all get in the act. The Chair would like to remind all of you that this is to pass on second reading."

Representative Evans, on a point of personal privilege, stated:

"The point I would like to make is that the previous speaker seems to be blaming the girls - that they are always in the affirmative. I take issue with that."

Representative Takamura, upon being recognized, stated:

"As a representative from the 12th District, I feel I would be remiss if, on this particular bill and at this particular time, I just didn't rise to urge people to vote for this bill. In doing so, I would like to recall and pay tribute to the long and valiant efforts made by my former colleague from the 12th District, Representative Akizaki. So when we vote for this bill, let's all think of Clarence."

Representative Sutton, in rebuttal, stated:

"Can I just say that I'm still here."

The motion was put by the Chair and carried and the report of the majority of the Committee was adopted and H.B. No. 205, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF PROPHYLACTICS IN VENDING MACHINES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representatives Takamine and Segawa, for the Committees on Employment Opportunities and Labor Relations and Health, presented a joint report (Stand. Com. Rep. No. 307) recommending that H.B. No. 217 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 217, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE",

passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representatives Takamine and Segawa, for the Committees on Employment Opportunities and Labor Relations and Health, presented a joint report (Stand. Com. Rep. No. 308) recommending that H.B. No. 216 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Segawa and carried, the report of the Committees was adopted and H.B. No. 216, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 309) recommending that H.B. No. 604 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 604, entitled: "A BILL FOR AN ACT INCREASING INDEMNITY BENEFITS PAYABLE UNDER THE HAWAII WORKERS' COMPENSATION ACT", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 310) recommending that H.B. No. 848 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 848, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 311) recommending that H.B. No. 218 pass Second Reading and be placed on the calendar for Third

Reading.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 218, entitled: "A BILL FOR AN ACT RELATING TO THE WAGE AND HOUR LAW", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 312) recommending that H.B. No. 653 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative K. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 653, entitled: "A BILL FOR AN ACT RELATING TO REMOVAL OF IDENTIFICATION MARKS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 313) recommending that H.B. No. 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 2, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR JUDICIARY PROGRAM EXPENDITURES AND FOR IMPROVEMENTS FOR THE FISCAL BIENNIUM JULY 1, 1977 TO JUNE 30, 1979, AND AUTHORIZING THE ISSUANCE OF BONDS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977, with Representative Sutton voting no.

Representative Machida, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 314) recommending that H.B. No. 142 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Machida, seconded by Representative Dods and carried, the report of the majority of the Committee was adopted and H.B. No. 142, entitled: "A BILL FOR AN ACT RELATING TO TOURISM DEVELOPMENT", passed Second

Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977, with Representative Abercrombie voting no.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 315) recommending that H.B. No. 429 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 429, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 316) recommending that H.B. No. 225 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 225, entitled: "A BILL FOR AN ACT RELATING TO HAWAII INSURANCE LAW", passed Second Reading and was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 317) recommending that H.B. No. 1056 pass Second Reading and be referred to the Committee on Public Employment and Government Operations.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 1056, entitled: "A BILL FOR AN ACT RELATING TO REGULATORY LICENSING REFORM", passed Second Reading and was referred to the Committee on Public Employment and Government Operations.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 318) recommending that H.B. No. 490, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 490, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPLACEMENT OF SCHOOL BOOKS", passed Second Reading and was referred to the Committee on Finance.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 319) recommending that H.B. No. 1600, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 1600, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PROGRAM FOR THE INTELLECTUALLY AND ARTISTICALLY GIFTED AND TALENTED", passed Second Reading and was referred to the Committee on Finance.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 320) recommending that H.B. No. 1257, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 1257, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PILOT PROJECT TO PROVIDE SERVICES TO STUDENTS WITH LEARNING DISABILITIES IN PUBLIC SCHOOLS", passed Second Reading and was referred to the Committee on Finance.

Representative Mizuguchi, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 321) recommending that H.B. No. 1375, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

At 6:30 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 6:34 o'clock p.m., Representative Kamalii requested that action on Stand. Com. Rep. No. 321 on H.B. No. 1375, HD 1, be deferred to the end of Supplemental Calendar No. 2, and the Chair, noting that there were no objections, so ordered.

Representative Mizuguchi, for the

Committee on Education, presented a report (Stand. Com. Rep. No. 322) recommending that H.B. No. 1386, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 1386, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN ADVISORY COMMITTEE ON SPECIAL EDUCATION", passed Second Reading and was referred to the Committee on Finance.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 323) recommending that H.B. No. 491, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 491, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VANDALISM IN THE SCHOOLS", passed Second Reading and was referred to the Committee on Finance.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 324) recommending that H.B. No. 926, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 926, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI HUI MALAMA, INC.", passed Second Reading and was referred to the Committee on Finance.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 325) recommending that H.B. No. 196 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 196, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", passed Second Reading and was referred to the Committee on Finance.

Representative Mizuguchi, for

the Committee on Education, presented a report (Stand. Com. Rep. No. 326) recommending that H.B. No. 1276 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 1276, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ART, MUSIC, AND PHYSICAL EDUCATION SPECIALISTS IN PUBLIC SCHOOLS", passed Second Reading and was referred to the Committee on Finance.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 327) recommending that H.B. No. 1214 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 1214, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTINUATION OF THE SPECIAL EDUCATION SUMMER SCHOOL PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 328) recommending that H.B. No. 950 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 950, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HONOKAA-KOHALA ALTERNATIVE PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 329) recommending that H.B. No. 925, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 925, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", passed Second Reading and 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. 330) recommending that H.B. No. 1713, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 1713, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE DEVELOPMENT IN HAWAII AND MAKING AN APPROPRIATION THEREFOR", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the majority of the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 331) recommending that H.B. No. 1422 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the majority of the Committee was adopted and H.B. No. 1422, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AERIAL SURVEILLANCE TO CONTROL ILLEGAL ACTIVITIES WITHIN THE STATE FOREST RESERVES", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the majority of the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 332) recommending that H.B. No. 1082 pass Second Reading and be referred to the Committee on Finance.

Representative Kawakami moved that the report of the majority of the Committee be adopted and H.B. No. 1082 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Caldito.

Representative Larsen then rose to speak against the bill, stating:

"Mr. Speaker, I don't want to take a lot of time right now, but I would like to just say, because I see it is being referred to Finance, and I believe there's going to be a lot of discussion there.

There are two basic positions that we have on this bill: one is the testimony that was received that there will be possible economic

gain to a few people in this State, and a very probable environmental harm to a majority of the people in this State.

I will talk longer and more carefully on this subject if the opportunity comes up again on this floor. Thank you."

Representative Blair then rose and stated:

"Mr. Speaker, I won't add anything except that I would urge all my colleagues to vote against the bill so that we don't have to bother with it coming out of Finance."

Representative Sutton then rose to speak against the bill, stating:

"I am a fisherman and if you look at my left toe, sir, you really don't need eels imported; we need them deported. Thank you, sir."

Representative Blair then requested a roll call vote on the motion.

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.B. No. 1082, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IMPORTATION OF EELS OF THE ORDER ANGUILLIFORMES FOR EXPERIMENTAL OR OTHER SCIENTIFIC PURPOSES", passed Second Reading and was referred to the Committee on Finance by a roll call vote of 30 ayes to 19 noes, with Representatives Abercrombie, Ajifu, Baker, Blair, Campbell, Cayetano, Cobb, Dods, Evans, Kamalii, Larsen, Narvaes, Peters, Say, Stanley, Sutton, Takamura, Toguchi and Uwayne voting no, and Representatives Medeiros and Uechi being excused.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 333) recommending that H.B. No. 770, as amended in HD 1, pass Second Reading and be referred to the Committee on State General Planning.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 770, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", passed Second Reading and was referred to the Committee on State General Planning.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 334) recommending that H.B. No. 671 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 671, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll and Sutton voting no.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 335) recommending that H.B. No. 670, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 670, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll and Sutton voting no.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 336) recommending that H.B. No. 672 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 672, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll and Sutton voting no.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 337) recommending that H.B. No. 1504, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 1504, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A PILOT PROJECT TO USE SEWAGE WATER FOR AGRICULTURE, AQUACULTURE AND RECHARGE OF THE GROUND WATER, AND MAKING AN APPROPRIATION THEREFOR", passed Second Reading and 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. 338) recommending that H.B. No. 591, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 591, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPROVEMENTS", passed Second Reading and was referred to the Committee on Finance.

Representative Takamine for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 339) recommending that H.B. No. 213 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 213, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING OF WAGES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1977.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 205, HD 1; 217; 216; 604; 848; 218; 653; 2, HD 1; 142; 429 and 213 were made available to the members of the House at 4:30 o'clock p.m.

At 6:43 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:53 o'clock p.m.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 321 on H.B.

No. 1375, HD 1:

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the majority of the Committee was adopted and H.B. No. 1375, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JOHN F. AND AIKO T. REINECKE", passed Second Reading and was referred to the Committee on Finance, with Representatives Ajifu, Carroll, Cobb, Evans, Kamalii, Larsen and Narvaes voting no.

At this time, Representative Kunimura introduced Councilmen George Akahane and Toraki Matsumoto "from across the street".

#### COMMITTEE REASSIGNMENTS

The Chair, at this time, re-referred the following bills:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
756	Committee on Finance
996	Committee on Finance
1412	Committee on Finance
1428	Committee on Finance
1503	Committee on Finance

At 6:57 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives stood in recess until 10:00 o'clock p.m. tonight.

#### NIGHT SESSION

Upon reconvening at 10:30 o'clock p.m., Representative Narvaes introduced Mr. Jim Kalili, who was seated in the gallery.

#### STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 340) recommending that H.B. No. 332, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee

was adopted and H.B. No. 332, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", passed Second Reading and was referred to the Committee on Judiciary.

Representatives Segawa and Baker, for the Committees on Health and Public Assistance and Human Services, presented a joint report (Stand. Com. Rep. No. 341) recommending that H.B. No. 1283, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Baker and carried, the report of the Committees was adopted and H.B. No. 1283, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT DOMICILIARY CARE AND BOARDING HOME OPERATORS", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 342) recommending that H.B. No. 420, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 420, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ATHLETIC PROGRAMS OF THE UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 343) recommending that H.B. Nos. 1106, 1115, 1117, 1121, 1169, 1227, 1229, 1230, 1231, 1320, 1339, 1340, 1341, 1342, 1378, 1391, 1462, 1521, 1549, 1550, 1552, 1553, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1737 and 1551 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and the following bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 1106, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WASHINGTON INTERMEDIATE

SCHOOL, OAHU";

H.B. No. 1115, "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS IN THE SIXTH REPRESENTATIVE DISTRICT";

H.B. No. 1117, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR RENOVATION AND IMPROVEMENT OF CASTLE HIGH SCHOOL CAFETORIUM";

H.B. No. 1121, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL AND SERVICE FACILITIES IN THE FOURTH DISTRICT, HAWAII";

H.B. No. 1169, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE SIXTEENTH REPRESENTATIVE DISTRICT, OAHU";

H.B. No. 1227, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 20TH DISTRICT";

H.B. No. 1229, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 24TH REPRESENTATIVE DISTRICT, OAHU";

H.B. No. 1230, "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS IN THE 25TH REPRESENTATIVE DISTRICT OF OAHU";

H.B. No. 1231, "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS IN THE 25TH REPRESENTATIVE DISTRICT OF OAHU";

H.B. No. 1320, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUKALANI ELEMENTARY SCHOOL, MAUI";

H.B. No. 1339, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT ROOSEVELT SCHOOL";

H.B. No. 1340, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT STEVENSON INTERMEDIATE SCHOOL";

H.B. No. 1341, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT MANOA SCHOOL";

H.B. No. 1342, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT NOELANI SCHOOL";

H.B. No. 1378, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GROUND AND SITE IMPROVEMENTS OF PEARL CITY HIGH SCHOOL LIBRARY";

H.B. No. 1391, "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS FOR CERTAIN SCHOOLS IN AND AROUND THE TENTH DISTRICT, HONOLULU, OAHU";

H.B. No. 1462, "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS IN THE EIGHTEENTH REPRESENTATIVE DISTRICT";

H.B. No. 1521, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HILO UNION SCHOOL, HAWAII";

H.B. No. 1549, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR MAINTENANCE PROJECTS AT PALOLO ELEMENTARY SCHOOL";

H.B. No. 1550, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT JARRETT INTERMEDIATE SCHOOL";

H.B. No. 1552, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT ALIOLANI ELEMENTARY SCHOOL";

H.B. No. 1553, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT HOKULANI ELEMENTARY SCHOOL";

H.B. No. 1585, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT KAHALUU ELEMENTARY SCHOOL, KAHALUU, OAHU";

H.B. No. 1586, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT KAAAWA ELEMENTARY SCHOOL, KAAAWA, OAHU";

H.B. No. 1587, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT HAUULA ELEMENTARY SCHOOL, HAUULA, OAHU";

H.B. No. 1588, "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR REPAIR AND MAINTENANCE PROJECTS AT KAHUKU HIGH SCHOOL, KAHUKU, OAHU";

H.B. No. 1589, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT CASTLE HIGH SCHOOL, KANEOTE, OAHU";

H.B. No. 1590, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT HEEIA ELEMENTARY SCHOOL, KANEOTE, OAHU";

H.B. No. 1591, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT WAIHOLE ELEMENTARY SCHOOL, WAIHOLE, OAHU";

H.B. No. 1737, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 7TH REPRESENTATIVE DISTRICT, OAHU"; and

H.B. No. 1551, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT ANUENUE ELEMENTARY SCHOOL".

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 344) recommending that H.B. No. 759 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 759, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LEEWARD OAHU SENIOR CITIZENS CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 345) recommending that H.B. No. 100, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 100, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented

a report (Stand. Com. Rep. No. 346) recommending that H.B. No. 96, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 96, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 347) recommending that H.B. No. 95, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 95, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-RETIREMENT EDUCATION PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 348) recommending that H.B. No. 642 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 642, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A MEDICAL RECORDS TECHNICIAN II AND AN X-RAY TECHNICIAN II AT HONOKAA HOSPITAL, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 349) recommending that H.B. No. 951 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 951, entitled: "A BILL FOR AN ACT RELATING TO THE COMMUNITY PHYSICIAN PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the

Committee on Health, presented a report (Stand. Com. Rep. No. 350) recommending that H.B. Nos. 993, 994, 1131, 1311 and 1325 pass Second Reading and be referred to the Committee on Finance

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and the following bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 993, "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO QUEEN'S MEDICAL CENTER, OAHU";

H.B. No. 994, "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO KUAKINI MEDICAL CENTER, OAHU";

H.B. No. 1131, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO SAINT FRANCIS HOSPITAL, OAHU";

H.B. No. 1311, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RENOVATION OF MAUI MEMORIAL HOSPITAL"; and

H.B. No. 1325, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO KAPIOLANI HOSPITAL, OAHU".

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 351) recommending that H.B. No. 1099 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1099, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EASTER SEAL SOCIETY", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 352) recommending that H.B. No. 1100, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1100, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR A DIAGNOSTIC AND CRISIS INTERVENTION PROGRAM FOR THE ISLAND OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 353) recommending that H.B. No. 1156 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1156 passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 354) recommending that H.B. No. 1297 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1297, entitled: "A BILL FOR AN ACT RELATING TO THE HANDICAPPED", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 355) recommending that H.B. No. 1523 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1523, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII MEDICAL LIBRARY, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 356) recommending that H.B. Nos. 1581 and 1582 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and the following bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 1581, "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR RENOVATION AND MODERNIZATION OF LEAHI HOSPITAL, HONOLULU".

H.B. No. 1582, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF A FACILITIES MASTER PLAN FOR LEAHI HOSPITAL, HONOLULU".

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 357) recommending that H.B. No. 1173, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 1173, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", 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. 358) recommending that H.B. No. 1001, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.B. No. 1001, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIKEWAYS", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 359) recommending that H.B. No. 1347, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 1347, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE OPERATION OF WALANAE HAWAIIAN HERITAGE CULTURAL CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the majority of the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 360) recommending

that H.B. No. 1398, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Stanley and carried, the report of the majority of the Committee was adopted and H.B. No. 1398, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT IN AID TO THE HONOLULU SYMPHONY", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 361) recommending that H.B. No. 1226, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 1226, HD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A 75TH ANNIVERSARY COMMISSION ON FILIPINOS COMING TO HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 362) recommending that H.B. No. 1354, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 1354, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION FOR THE BIRTH SITE OF KAMEHAMEHA THE GREAT", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 363) recommending that H.B. No. 1129, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 1129, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ARCHAEOLOGICAL AND HISTORICAL RESEARCH ON THE ISLAND OF KAHOLA" .

OLAWÉ", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 364) recommending that H.B. No. 1573, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 1573, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ENSEMBLE PLAYERS GUILD", 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. 365) recommending that H.B. No. 898 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.B. No. 898, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC SERVICE TAX LAW", passed Second Reading and was referred to the Committee on Finance, with Representative Kunimura voting no.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 366) recommending that H.B. No. 1243 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 1243, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT PESTICIDE RESEARCH TO ENHANCE PAPAYA PRODUCTION", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 367) recommending that H.B. No. 976 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 976,

entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE RESEARCH PROGRAMS OF THE HAWAII SUGAR PLANTERS' ASSOCIATION", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 368) recommending that H.B. No. 973, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 973, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAN PACIFIC AGRICULTURE CONFERENCE", passed Second Reading and was referred to the Committee on Finance.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 369) recommending that H.B. No. 1693 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1693, entitled: "A BILL FOR AN ACT RELATING TO WITNESS EXPENSES IN CRIMINAL PROCEEDINGS", passed Second Reading and was referred to the Committee on Finance.

Representative Garcia, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 370) recommending that H.B. No. 1616 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the majority of the Committee was adopted and H.B. No. 1616, entitled: "A BILL FOR AN ACT RELATING TO BONUSES FOR VETERANS OF THE VIETNAM CONFLICT", passed Second Reading and was referred to the Committee on Finance, with Representatives Blair, Evans, Larsen and Nakamura voting no.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 371) recommending that H.B. No. 1447 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1447, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CAMPAIGN SPENDING COMMISSION MEMBERS", passed Second Reading and was referred to the Committee on Finance.

Representative Garcia, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 372) recommending that H.B. No. 915, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the majority of the Committee was adopted and H.B. No. 915, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTINUANCE OF THE LEGAL AID SOCIETY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 373) recommending that H.B. No. 446 pass Second Reading and be referred to the Committee on Energy and Transportation.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 446, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE", passed Second Reading and was referred to the Committee on Energy and Transportation.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 374) recommending that H.B. No. 28, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 28, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION", passed Second Reading and was referred to the Committee on Finance.

Representative Garcia, for the majority of the Committee on Judiciary,

presented a report (Stand. Com. Rep. No. 375) recommending that H.B. No. 250, as amended in HD 1, pass Second Reading and be referred to the Committee on Youth and Elderly Affairs.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the majority of the Committee was adopted and H.B. No. 250, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed Second Reading and was referred to the Committee on Youth and Elderly Affairs, with Representatives Baker, Cayetano, Naito, Peters, Stanley, Takamura, Ueoka and Uwayne voting no.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 376) recommending that H.B. No. 952, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 952, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE YOUNG FARMERS PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 377) recommending that H.B. No. 1003, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1003, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VISION AND HEARING SCREENING", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 378) recommending that H.B. No. 481, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 481, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR POISON INFORMA-

TION", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 379) recommending that H.B. No. 1098, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1098, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 380) recommending that H.B. No. 884, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 884, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FIRST AID TRAINING TO COACHES OF SPORTS PROGRAMS IN HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 381) recommending that H.B. No. 876, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 876, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO KAHUKU HOSPITAL, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 382) recommending that H.B. No. 482, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa,

seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 482, HD 1, entitled: "A BILL FOR AN ACT APPROPRIATION FOR THE SUBSTANCE ABUSE PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representatives Segawa and Aki, for the Committees on Health and Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 383) recommending that H.B. No. 505, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Aki and carried, the report of the Committees was adopted and H.B. No. 505, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH", passed Second Reading and was referred to the Committee on Finance.

At 10:38 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:40 o'clock p.m.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 384) recommending that H.B. No. 1688, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1688, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LAW ENFORCEMENT PLANNING AGENCY", passed Second Reading and was referred to the Committee on Finance.

Representative Garcia, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 385) recommending that H.B. No. 456, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the majority of the Committee was adopted and H.B. No. 456, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTICIPATION IN POLITICAL ACTIVITIES BY MEMBERS

OF THE POLICE DEPARTMENT", passed Second Reading and was referred to the Committee on Finance, with Representatives Cayetano and Nakamura voting no.

Representative Garcia, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 386) recommending that H.B. No. 700, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the majority of the Committee was adopted and H.B. No. 700, HD 1, entitled: "A BILL FOR AN ACT TO PROVIDE FOR A PLEBISCITE AT THE GENERAL ELECTION OF 1978 UPON THE QUESTION OF A FIXED GUIDEWAY SYSTEM FOR THE ISLAND OF OAHU, TO PRESCRIBE THE QUALIFICATIONS FOR VOTING, THE ADMINISTRATION AND CONDUCT OF THE PLEBISCITE, THE METHOD AND MANNER OF DECLARING AND CERTIFYING THE RESULTS AND MAKING AN APPROPRIATION THEREFOR", was referred to the Committee on Finance, with Representatives Dods, Evans, Kawakami, Morioka, Nakamura, Peters, Stanley, Uechi and D. Yamada voting no.

Representative Machida, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 387) recommending that H.B. No. 469 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Machida, seconded by Representative Dods and carried, the report of the Committee was adopted and H.B. No. 469, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE OF TRIAL DATE FOR TOURIST VICTIM", passed Second Reading and was referred to the Committee on Judiciary.

At 10:43 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 Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 388) recommending that H.B. No. 484 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki,

seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 484, entitled: "A BILL FOR AN ACT RELATING TO YOUTH SHELTER CARE", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 389) recommending that H.B. No. 771 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 771, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed Second Reading and was referred to the Committee on Judiciary.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 390) recommending that H.B. No. 821 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 821, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTINUATION OF THE ALTERNATIVES FOR YOUTH PROJECT, KALIHI BRANCH YMCA", 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. 391) recommending that H.B. No. 408 pass Second Reading and be referred to the Committee on State General Planning.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.B. No. 408, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL AND A STATEWIDE TRANSPORTATION PLANNING PROGRAM", passed Second Reading and was referred to the Committee on State General Planning.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 392) recommending that H.B. No. 514 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cayetano,

seconded by Representative Takamura and carried, the report of the Committee was adopted and H.B. No. 514, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 393) recommending that H.B. No. 1075, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 1075, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR NATIONAL GUARDSMEN", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 394) recommending that H.B. No. 1171, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF SPECIAL FUND", passed Second Reading and was referred to the Committee on Finance.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 395) recommending that H.B. No. 1285, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 1285, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LAW OF THE SEA INSTITUTE", passed Second Reading and was referred to the Committee on Finance.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 396) recommending that H.B. No. 1061, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1061, HD 1, entitled: "A BILL FOR AN ACT RELATING TO QUIET TITLE ACTIONS", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 397) recommending that H.B. No. 1047, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 1047, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE PRICE SUPPORT TO SUGAR GROWERS", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 398) recommending that H.B. No. 1174 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 1174, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 399) recommending that H.B. No. 1086, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 1086, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY RELATING TO A CENTRALIZED EGG PROCESSING FACILITY", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 400) recommending that H.B. No. 916 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba

and carried, the report of the Committee was adopted and H.B. No. 916, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO EXPAND THE VACUUM COOLING PLANT IN KAMUELA, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 401) recommending that H.B. No. 105, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 105, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE PRODUCTION AND MARKETING OPERATIONS OF DIVERSIFIED AGRICULTURE IN HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the majority of the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 402) recommending that H.B. No. 1246 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the majority of the Committee was adopted and H.B. No. 1246, entitled: "A BILL FOR AN ACT RELATING TO HOG SLAUGHTERHOUSES ON OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 403) recommending that H.B. No. 423, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 423, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KONA COFFEE RESEARCH IN KONA, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representatives Say and Ushijima, for the Committees on Culture and the Arts and Higher Education, presented a joint report (Stand.

Com. Rep. No. 404) recommending that H.B. No. 1162, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Ushijima and carried, the report of the Committees was adopted and H.B. No. 1162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC AND ASIAN AFFAIRS COUNCIL FOR THE STATE OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representatives Segawa and Aki, for the Committees on Health and Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 405) recommending that H.B. No. 1015, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Aki and carried, the report of the Committees was adopted and H.B. No. 1015, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY FACILITIES", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 406) recommending that H.B. Nos. 724, 1038, 1507, 1508, 1509, 1510, 1511, 1512 and 1528 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and the following bills passed Second Reading and was referred to the Committee on Finance:

H.B. No. 724, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPLETION OF BUILDING FACILITIES FOR THE CENTER FOR KOREAN STUDIES, UNIVERSITY OF HAWAII";

H.B. No. 1038, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS IN THE TWENTY-FOURTH REPRESENTATIVE DISTRICT, OAHU";

H.B. No. 1507, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF THE AUDITORIUM-THEATER, PHASE II AT THE UNIVERSITY OF HAWAII AT HILO";

H.B. No. 1508, "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR MAJOR CIP PLANNING STATEWIDE FOR THE UNIVERSITY OF HAWAII AT HILO";

H.B. No. 1509, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DESIGN OF CLASSROOM BUILDINGS NO. 3 and NO. 4 AT THE UNIVERSITY OF HAWAII AT HILO";

H.B. No. 1510, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DESIGN OF THE LEARNING RESOURCES CENTER AT THE UNIVERSITY OF HAWAII AT HILO";

H.B. No. 1511, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF THE STUDENT HEALTH CENTER AT THE UNIVERSITY OF HAWAII AT HILO";

H.B. No. 1512, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DESIGN AND CONSTRUCTION OF GENERAL SITE DEVELOPMENT AND UTILITY GRID INSTALLATION AT THE UNIVERSITY OF HAWAII AT HILO"; and

H.B. No. 1528, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIVERSITY OF HAWAII, HILO".

At 11:08 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 407) recommending that H.B. No. 673, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 673, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", passed Second Reading and was referred to the Committee on Judiciary.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 408) recommending that H.B. No. 1522, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee

was adopted and H.B. No. 1522, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ACUTE SURGICAL HOSPITAL, HILO, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 409) recommending that H.B. No. 1694, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1694, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING", passed Second Reading and was referred to the Committee on Finance.

Representatives Cayetano and D. Yamada, for the Committees on Energy and Transportation and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 410) recommending that H.B. No. 1685, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cayetano, seconded by Representative D. Yamada and carried, the report of the Committees was adopted and H.B. No. 1685, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS, MOTOR CARRIER VEHICLES, AND MOTOR VEHICLES", 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. 411) recommending that H.B. Nos. 407, 417, 418, 638, 639, 640, 872, 893, 997, 1051, 1123, 1126, 1135, 1128, 1266, 1267, 1272, 1307, 1308, 1309, 1312, 1316, 1348, 1379, 1380, 1383, 1397, 1464, 1494, 1498, 1515 and 1534 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the report of the Committee was adopted and the following bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 407, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII COUNTY";

H.B. No. 417, "A BILL FOR AN ACT RELATING TO A BIKE PATH FROM HALEIWA TO SUNSET BEACH, OAHU";

H.B. No. 418, "A BILL FOR AN ACT RELATING TO A FOOTBRIDGE AT WAIMEA, OAHU";

H.B. No. 638, "A BILL FOR AN ACT RELATING TO THE CONSTRUCTION OF SIDEWALKS FOR PAIA, MAUI";

H.B. No. 639, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF A SIDEWALK ALONG PUUNENE AVENUE, MAUI";

H.B. No. 640, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WIDENING OF PUUNENE AVENUE, MAUI";

H.B. No. 872, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND ENGINEERING OF THE WIDENING AND IMPROVEMENT OF CALIFORNIA AVENUE FROM CANE STREET TO UUKU STREET, WAHIAWA, OAHU";

H.B. No. 893, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IMPROVEMENT OF THE ROADS IN KALIHI VALLEY";

H.B. No. 997, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID AND FOR PLANS AND CONSTRUCTION OF SALT LAKE BOULEVARD";

H.B. No. 1051, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU";

H.B. No. 1123, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO KE-AHOLE AIRPORT, KONA, HAWAII";

H.B. No. 1126, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF THE LAHAINA SEAWALL PROJECT";

H.B. No. 1135, "A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS IN THE THIRD DISTRICT, HAWAII";

H.B. No. 1128, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION TO IMPROVE AND REALIGN WAILEA-MAKENA ROADS";

H.B. No. 1266, "A BILL FOR AN ACT MAKING AN APPROPRIATION TO RESURFACING KAHULUU STREETS, OAHU";

H.B. No. 1267, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LEFT TURN LANE AT HUI IWA STREET AND KAHEKILI HIGHWAY, AHUIMANU, OAHU";

H.B. No. 1272, "A BILL FOR AN ACT MAKING AN APPROPRIATION ON SAFETY IMPROVEMENTS FOR KAMEHAMEHA HIGHWAY FROM KAHALUU TO HAUULA";

H.B. No. 1307, "A BILL FOR AN ACT MAKING APPROPRIATIONS TO IMPROVE AND EXPAND LAND SURFACE, TRANSPORTATION PROGRAMS AND SERVICES FOR THE ELDERLY, HANDICAPPED AND OTHER DISADVANTAGED PERSONS";

H.B. No. 1308, "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS AND SERVICES IN THE SIXTH REPRESENTATIVE DISTRICT";

H.B. No. 1309, "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPROVE AND EXPAND LAND SURFACE TRANSPORTATION PROGRAMS AND SERVICES FOR THE DISADVANTAGED AND HANDICAPPED PERSONS IN THE COUNTY OF MAUI";

H.B. No. 1312, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF A TRUCK RUNWAY RAMP ON KAMAPALA HIGHWAY, LANAI";

H.B. No. 1316, "A BILL FOR AN ACT MAKING AN APPROPRIATION TO EXPAND TRANSPORTATION SERVICES TO THE DISADVANTAGED AND HANDICAPPED PERSONS OF THE NORTH SHORE AND LEEWARD AREAS OF OAHU";

H.B. No. 1348, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ROAD IMPROVEMENTS, KA'U, COUNTY OF HAWAII";

H.B. No. 1379, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF A BIKEWAY";

H.B. No. 1380, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ROAD IMPROVEMENTS TO MOANALUA ROAD";

H.B. No. 1383, "A BILL FOR AN

ACT MAKING AN APPROPRIATION FOR THE EXTENSION OF MOANALUA ROAD FROM WAIMANO HOME ROAD TO KUAHAKA STREET, OAHU";

H.B. No. 1397, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INSTALLATION OF STREET LIGHTS ON KUNIA ROAD";

H.B. No. 1464, "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPROVE AND EXPAND LAND SURFACE TRANSPORTATION PROGRAMS AND SERVICES FOR THE LOW INCOME DISADVANTAGED AND HANDICAPPED PERSONS RESIDING IN THE COUNTY OF HAWAII";

H.B. No. 1494, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF A PEDESTRIAN OVERPASS ON THE HIGHWAY NEAR PUKALANI ELEMENTARY SCHOOL, MAUI";

H.B. No. 1498, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO KALANIANAOLE HIGHWAY FROM AINAKOA TO HAWAII KAI, OAHU";

H.B. No. 1515, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESURFACING OF THE AIRSTRIP AT KALAUAPAPA SETTLEMENT, MOLOKAI"; and

H.B. No. 1534, "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENTS IN THE EIGHTEENTH REPRESENTATIVE DISTRICT".

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 412) recommending that H.B. No. 98, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 98, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF THE ELDERLY", passed Second Reading and was

referred to the Committee on Finance, with Representative Nakamura voting no.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 413) recommending that H.B. No. 1373, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 1373, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF A STATEWIDE MASTER PLAN FOR THE DIVERSIFIED AGRICULTURAL INDUSTRY", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 414) recommending that H.B. No. 1355, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 1355, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC TELEVISION", passed Second Reading and was referred to the Committee on Finance.

At this time, the Chair made the following announcement:

"The Chair would like to remind all members to make yourselves available at 6 o'clock p.m. tomorrow evening."

#### ADJOURNMENT

At 11:44 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 10:30 o'clock a.m. tomorrow, Tuesday, March 8, 1977.

## THIRTY-FOURTH DAY

Tuesday, March 8, 1977

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 10:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Everett Curry, Jr. of the Community Baptist Church, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Blair, Cayetano, Cobb, Larsen, Machida, Medeiros, Morioka, Naito, Nakamura, Peters, Poepoe, Takamura, Uwaine and K. Yamada, who were excused.

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

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Thirty-Third Day was approved.

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

Upon reconvening at 10:36 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Abercrombie, Larsen, Machida, Medeiros, Morioka, Naito, Nakamura, Peters, Uwaine and K. Yamada.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 23 to 24) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 23) transmitting Senate Concurrent Resolution No. 115, recognizing Music in Our Schools Week, March 6 to 12, with the theme "Music: Harmony in the Arts", which was adopted by the Senate on March 7, 1977, was placed on file.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, S.C.R. No. 115 was adopted.

A communication from the Senate

(Sen. Com. No. 24) transmitting Senate Bill No. 147, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", which passed Third Reading in the Senate on March 7, 1977, was placed on file.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, S.B. No. 147 passed First Reading by title and further action was deferred until tomorrow, March 9, 1977.

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

Representative Fong introduced 41 fifth grade students from Island Paradise School. They were accompanied by their teachers, Mrs. Hunt and Mrs. Otani.

Representative Sutton introduced Mr. Riichi Segawa, father of Representative Herbert Segawa.

Representative Segawa then rose and stated:

"Mr. Speaker, if you do not mind, with the presence of my father, I would like to thank the members of this august body for the many courtesies and thoughtfulness that they extended to my mother upon her passing on February 2nd. At that time, my father was also in the hospital and, as you can see, in about a month's time, he has been given tremendous care at Saint Francis Hospital, and he has been able to join us although he is still confined as a dialysis patient at Saint Francis as an out-patient.

I would like this body to know that the appropriation that we made in the last session of \$150,000 towards dialysis patients has gone a long way. Of course, when I voted for this measure, I did not even realize that someone as close as my father would be affected with such a disease, and I would like to again thank the members of this body for their thoughtfulness and for the big decisions that they make that affect so many people.

Thank you so much."

SUSPENSION OF RULES

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

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 474 to 476) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 474) congratulating the Friends of Waipahu Cultural Garden Park upon receiving the Valley Forge Honor Certificate Award was jointly offered by Representatives Shito, Kihano, Baker, Caldito, Carroll, Dods, Kiyabu, Kondo, Larsen, Lunasco, Medeiros, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Say, Segawa, Sutton, Takamura, Toguchi, Ueoka, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Shito, seconded by Representative Kihano and carried, H.R. No. 474 was adopted.

At this time, Representative Shito rose and stated:

"Mr. Speaker, members of this honorable body, the resolution that was just read very adequately expresses the dedication and the will of the people of Waipahu to move and get things done.

Today, I am honored to have present here in the Chamber, the pioneers and leaders of the Waipahu Cultural Garden Park who have worked very hard and diligently towards this progress."

Representative Shito then introduced the following to the members of the House: Mr. Jack Lindsey, President; Mr. Hideo "Major" Okada, Director; Mr. Goro Arakawa, Director; Mr. Johnson Pang, First Vice-President; and Mrs. Sarah Lindsey.

Leis were presented to the honorees by Representatives Naito, Stanley, Ikeda and Kamalii and certified copies of the resolution were presented by Representative Kihano.

A resolution (H.R. No. 475) congratulating Kaimuki High School student winners and their coaches for winning statewide championship honors in the 17th Annual Electric Motor Building Contest was jointly offered by Representatives Kiyabu, Abercrombie, Ajifu, Aki, Baker, Blair,

Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Kiyabu, seconded by Representative Naito and carried, H.R. No. 475 was adopted.

Representative Kiyabu then rose and stated:

"Mr. Speaker, what can I say--Kaimuki High School has done it again!

Before introducing these talented students, I would like to tell you a little bit about the contest itself. The Electric Motor Building Contest has been held every year for the past 17 years with the winning time dropping from thirty to under six minutes. The building of these motors does not mean fitting parts together. These students made an operating motor from scratch with unassembled and uncut materials. The contest is held every February to coincide with the National Electric Week in observance of Thomas A. Edison's February 11th birthday.

One significant fact that was brought to my attention was that Hawaii originated this popular competition and it caught on nationally. I know that the reason for this popularity is due in part to the skill and inspiration of these students and also the past students."

Representative Kiyabu then introduced the following: Jill Fujiwara, First Place, and Cindy Isono, Second Place, in the Novice Girl's Division; Douglas Arakaki, First Place; Stanley Otsuka, Second Place, and Alan Tanaka, Third Place, in the Novice Boy's Division; Ryan Fukuhara, First Place; Leslie Takemoto, Second Place, and Hayden Hu, Third Place, in the Advanced Division; Mr. Randall Molina and Mr. Tomio Arakaki, coaches; and Mr. Richard Hadama, principal.

Leis were then presented to the coaches and principal by Representative Naito; to the girls by Representatives Morioka and Say; and to the boys by Representatives Stanley, Evans, Ikeda and Kamalii.

Representative Medeiros, "a former Kaimuki graduate and all-time

great at Kaimuki", presented the honorees with certified copies of the resolution.

Representative Kiyabu then introduced 12 students who won honorable mentions. They were seated in the gallery.

The Chair then remarked:

"The Chair is of the understanding that Representative Medeiros was great, but I am not sure about being all the time great."

Representative Kihano introduced Mrs. Arakawa, wife of Mr. Goro Arakawa, who was seated in the gallery.

Representative Aki then introduced 60 students from Ewa Beach Elementary School. They were accompanied by their teachers, Mrs. Zimmerman, Mrs. Heine and Mrs. Afuso.

A resolution (H.R. No. 476) commending and congratulating Sherry A. Bush, Hawaii's "Miss National Teenager" was jointly offered by Representatives Evans, Ajifu, Aki, Baker, Caldito, Campbell, Dods, Fong, Garcia, Ikeda, Inaba, Kamalii, Larsen, Lunasco, Machida, Medeiros, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Sutton, Suwa, Takamine, Takamura, Toguchi, Ueoka, D. Yamada, K. Yamada and Yuen.

On motion by Representative Evans, seconded by Representative Medeiros and carried, H.R. No. 476 was adopted.

Representative Evans then introduced the honoree, stating:

"Mr. Speaker, it is a real delight for me to present the honoree to this honorable body. I have known Sherry since she was an eleven year old, pig-tailed girl, living up the street from me. We both have lived on the same street for quite a long time, and without further adieu, I would like to introduce 'Miss National Teenager'--Miss Sherry Ann Bush."

Representative Evans then introduced Mr. and Mrs. Ellsworth M. "Breezer" Bush, parents of Sherry, and her grandparents and two aunts from Wisconsin.

Representative Medeiros then presented a red carnation lei to the honoree and a certified copy

of the resolution was presented by Representative Evans.

At 10:58 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, for the purpose of extending greetings and congratulations to all of the honorees.

Upon reconvening at 11:02 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Blair, Cayetano and Cobb.

#### ORDER OF THE DAY

#### DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 470 to 473) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
470	Placed on Clerk's desk
471	Committee on Corrections and Rehabilitation, then to the Committee on Legislative Management
472	Committee on Corrections and Rehabilitation, then to the Committee on Legislative Management
473	Committee on Corrections and Rehabilitation, then to the Committee on Legislative Management

#### UNFINISHED BUSINESS

H.B. No. 177 on Third Reading (Deferred from March 7, 1977):

By unanimous consent, consideration of H.B. No. 177 was deferred until the end of the morning calendar.

#### STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 415) informing the House that House Resolution Nos. 466 to 473 and Standing Committee Report Nos. 269 to 414, and 416 to 434, have been printed and distributed.

On motion by Representative Lunasco, seconded by Representative Peters and carried, the report of the Committee was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand.

Com. Rep. No. 416) recommending that H.B. No. 14, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 416 on H.B. No. 14, HD 1, was deferred until tomorrow, March 9, 1977, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 14, HD 1, were made available to the members of the House at 10:30 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 417) recommending that H.B. No. 11, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 417 on H.B. No. 11, HD 2, was deferred until tomorrow, March 9, 1977, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 11, HD 2, were made available to the members of the House at 10:30 o'clock a.m.

Representative Cayetano, for the majority of the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 418) recommending that H.B. No. 160, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

By unanimous consent, action was deferred until the end of the morning calendar.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 419) recommending that H.B. No. 1068 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 1068, entitled: "A BILL FOR AN ACT RELATING TO SEIZURE AND FORFEITURE OF FISH AND HUNTING GEAR", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 9, 1977.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com.

Rep. No. 420) recommending that H.B. No. 833, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 833, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 9, 1977.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 421) recommending that H.B. No. 1221 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO MARINE CONSERVATION", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 9, 1977.

Representatives Segawa and Takamine, for the Committees on Health and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 422) recommending that H.B. No. 215, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Takamine and carried, the report of the Committees was adopted and H.B. No. 215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 9, 1977.

Representatives Segawa and Takamine, for the majority of the Committees on Health and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 423) recommending that H.B. No. 599, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Takamine and carried, the report of the majority of the Committees was adopted and H.B. No. 599, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", passed Second Reading and was placed on the calendar for

Third Reading tomorrow, March 9, 1977, with Representative Sutton voting no.

Representative Blair, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 424) recommending that H.B. No. 199 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 199, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 9, 1977.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 425) recommending that H.B. No. 995 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Mina and carried, the report of the Committee was adopted and H.B. No. 995, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ORGANIZATION AND ADMINISTRATION", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 9, 1977.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 426) recommending that H.B. No. 176, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 176, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 9, 1977.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 427) recommending that H.B. No. 49, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative

Cobb and carried, the report of the Committee was adopted and H.B. No. 49, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF VARIOUS BOARDS AND COMMISSIONS IN THE DEPARTMENT OF REGULATORY AGENCIES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 9, 1977.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 428) recommending that H.B. No. 929, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 929, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG AND COSMETIC ACT", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 9, 1977.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 429) recommending that H.B. No. 6, HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 6, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE REPAIR AND MAINTENANCE OF PUBLIC FACILITIES AND MAKING APPROPRIATIONS THEREFOR", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 9, 1977, with Representative Sutton voting no.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 430) recommending that H.B. No. 181, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.B. No. 181, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII BEE DISEASE ACT", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 9, 1977.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 1068; 833, HD 1; 1221; 215, HD 1; 599, HD 1; 199; 995; 176, HD 1; 49, HD 1; 929, HD 1; 6, HD 1; and 181, HD 1, were made available to the members of the House at 10:30 o'clock a.m.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 431) recommending that H.B. No. 1731 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 1731, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE KANEOHE SENIOR CITIZENS CENTER, KANEOHE, OAHU", passed Second Reading and was referred to the Committee on Finance:

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 432) recommending that H.B. No. 1389, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 1389, HD 1, entitled: "A BILL FOR AN ACT TO MAKE AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR THE INFORMATION AND REFERRAL SERVICE SYSTEM TO THE AGING", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 433) recommending that H.B. No. 1196, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 1196, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SENIOR CENTER AT WAIMANALO, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No.

434) recommending that H.B. No. 1157, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.B. No. 1157, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF ADULT CARE HOMES FROM GENERAL EXCISE TAXATION", passed Second Reading and was referred to the Committee on Finance.

#### INTRODUCTION OF RESOLUTIONS

By unanimous consent, H.R. No. 470, honoring Kane Fernandez for being selected Hawaiian Businessman of the Year, was taken from the Clerk's desk.

On motion by Representative Kamalii, seconded by Representative Yuen and carried, H.R. No. 470 was adopted.

The following resolution (H.R. No. 482) was read by the Clerk and was disposed of as follows:

A resolution (H.R. No. 482) congratulating George Hachida, recipient of the Distinguished Service Award for 1976 was jointly offered by Representatives Takamine, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Takamine, seconded by Representative Inaba and carried, H.R. No. 482 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 477 to 481) and concurrent resolutions (H.C.R. Nos. 81 to 87) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 9, 1977:

A resolution (H.R. No. 477) requesting the establishment of a Farmers Home Administration State Office in Hawaii was jointly offered by Representatives Shito, Aki, Baker, Campbell, Dods, Evans, Fong, Ikeda, Inaba, Kiyabu, Larsen, Lunasco, Mina, Morioka,

Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Sutton, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima and D. Yamada.

A resolution (H.R. No. 478) requesting the Legislative Auditor to conduct a management audit of the Legal Aid Society was offered by Representative Uwaine.

A resolution (H.R. No. 479) relating to the Windward Oahu Regional Plan was jointly offered by Representatives Toguchi, Yuen, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Mina, Mizuguchi, Morioka, Nakamura, Peters, Poepoe, Say, Segawa, Shito, Stanley, Suwa, Takamura, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

A resolution (H.R. No. 480) requesting that the Hawaii Historic Places Review Board make a speedy evaluation of the Department of Land and Natural Resources' recommendation that Kawainui Marsh be placed on the Hawaii and the National Register of Historic Places was jointly offered by Representatives Evans, Ajifu, Aki, Caldito, Campbell, Fong, Garcia, Ikeda, Inaba, Kamalii, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Naito, Nakamura, Narvaes, Poepoe, Say, Suwa, Toguchi, Ueoka and K. Yamada.

A resolution (H.R. No. 481) requesting a study of the effectiveness of the Division of Occupational Safety and Health of the Department of Labor and Industrial Relations was offered by Representative Abercrombie.

A concurrent resolution (H.C.R. No. 81) requesting the development of a National Income Maintenance Program was jointly offered by Representatives Baker, Aki, Blair, Caldito, Campbell, Cayetano, Cobb, Dods, Garcia, Kihano, Kunimura, Larsen, Lunasco, Mina, Mizuguchi, Naito, Nakamura, Peters, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takamura, Toguchi, Uechi, Ushijima, K. Yamada and Yuen.

A concurrent resolution (H.C.R. No. 82) urging Federal contracting agencies in Hawaii to require their contractors to comply with the requirements of Chapter 444, Hawaii Revised Statutes was jointly offered by Represen-

tatives Takamine, Abercrombie, Baker, Blair, Caldito, Cayetano, Cobb, Dods, Lunasco, Machida, Mina, Naito, Peters, Say, Segawa, Stanley, Uechi, Uwaine and Yuen.

A concurrent resolution (H.C.R. No. 83) urging that State of Hawaii determinations of prevailing wages be accepted as the minimum wages that must be paid on Federal projects for purposes of the Davis-Bacon Act was jointly offered by Representatives Takamine, Abercrombie, Baker, Blair, Caldito, Cayetano, Cobb, Dods, Lunasco, Machida, Mina, Naito, Peters, Say, Segawa, Stanley, Uechi, Uwaine and Yuen.

A concurrent resolution (H.C.R. No. 84) urging prohibition of use of foreign labor on federally funded projects in the south and western Pacific areas unless such qualified personnel are not readily available first from Hawaii and subsequently, the mainland United States was jointly offered by Representatives Takamine, Abercrombie, Baker, Blair, Caldito, Dods, Lunasco, Machida, Naito, Peters, Say, Segawa, Stanley, Uechi, Uwaine and Yuen.

A concurrent resolution (H.C.R. No. 85) requesting the establishment of a Farmers Home Administration State Office in Hawaii was jointly offered by Representatives Shito, Aki, Baker, Campbell, Dods, Evans, Fong, Ikeda, Inaba, Kiyabu, Larsen, Lunasco, Mina, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Sutton, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima and D. Yamada.

A concurrent resolution (H.C.R. No. 86) requesting the Legislative Auditor to conduct a management audit of the Legal Aid Society was offered by Representative Uwaine.

A concurrent resolution (H.C.R. No. 87) relating to the Windward Oahu Regional Plan was jointly offered by Representatives Toguchi, Yuen, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Mina, Morioka, Nakamura, Peters, Poepoe, Say, Segawa, Shito, Stanley, Suwa, Takamura, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

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

call of the Chair.

Upon reconvening at 11:52 o'clock a.m., Representative Ajifu introduced 25 third grade students from Kamehameha Schools. They were accompanied by their teacher, Mrs. Low.

#### SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii 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:

##### H.B. No. 57, HD 1:

Representative D. Yamada moved that H.B. No. 57, HD 1, having been read throughout, pass Third Reading, seconded by Representative Garcia.

Representative Abercrombie then rose to speak in favor of the bill, stating:

"Mr. Speaker, I would just make a comment that I would like to compliment the Judiciary Chairman and the Consumer Protection Chairman because a lot of people in the city have been abusing the No-Fault Insurance Law, and I just want to point out to the members, and for the record, that there is a section in this bill which provides the impoundment of automobiles when this no-fault insurance has been abused and this, I think, is a big step forward in seeing that people carry out the intent of the law, and I appreciate it, inasmuch as I am a victim of one such person."

The motion was put by the Chair and H.B. No. 57, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", having been read throughout, passed Third Reading by a vote of 51 ayes.

##### H.B. No. 927:

On motion by Representative D. Yamada, seconded by Representative Cobb, H.B. No. 927, entitled: "A BILL FOR AN ACT RELATING

TO POISONS", passed Third Reading by a vote of 51 ayes.

##### H.B. No. 930:

On motion by Representative D. Yamada, seconded by Representative Cobb, H.B. No. 930, entitled: "A BILL FOR AN ACT RELATING TO CREDIT CARD OFFENSES", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Abercrombie voting no.

##### H.B. No. 680, HD 1:

On motion by Representative D. Yamada, seconded by Representative Cobb, H.B. No. 680, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE LAW AND THE CONTRACTORS RECOVERY FUND", passed Third Reading by a vote of 51 ayes.

##### H.B. No. 229:

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, H.B. No. 229 was recommitted to the Committee on Consumer Protection and Commerce.

##### H.B. No. 575, HD 1:

On motion by Representative D. Yamada, seconded by Representative Cobb, H.B. No. 575, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USURY", passed Third Reading by a vote of 51 ayes.

##### H.B. No. 43, HD 1:

Representative Garcia moved that H.B. No. 43, HD 1, having been read throughout, pass Third Reading, seconded by Representative K. Yamada.

Representative Sutton then rose and stated:

"Mr. Speaker, I rise to speak against this bill.

As you are very well aware, Mr. Speaker, the whole purpose of having a Small Claims Division in the district court was to allow people that don't have the money to have attorneys to solve their monetary claims and affair by a very simple fashion.

As you know, Mr. Speaker, the

main features that distinguish this system of justice from the original court procedures are the monetary sums, the process, and the type of representation and the duty of the Judge, and the fact that there are no formal means of presenting evidence and no rules of evidence that preclude even hearsay. The idea was to allow people to solve their small problems in such a way that they do not take them on to the street corners and start fighting.

In the state of California, they preclude attorneys from representing parties on either side. This bill should have done so. Before it had House draft 1, this was a reasonable bill, but with House draft 1, it has precluded achieving the goals of a Small Claims Court, and we have something that is neither fish nor fowl, Mr. Speaker. Therefore, I would urge everyone here to vote against it."

Representative Abercrombie was then recognized by the Chair and he stated:

"Mr. Speaker, I would like to speak against this bill on the basis of the last paragraph of the Committee Report on the first page. Some of the remarks of the previous speaker are, I think, applicable to my objections.

I don't think it is fair to have the opportunity for an attorney to come into the situation. I believe that the first part of the Committee Report--and the bill is a fair-minded approach--that is to say, that the \$300 amount was too small, given the financial considerations of inflation today and that the \$1,000 figure would accomplish the idea of the Small Claims Court being realistic in terms of small claims.

I recognize, and as some of the other representatives in discussion with me have pointed out, that there is a basic right to an attorney existent and so one principle comes up against another and, as so often happens then, something which seems easily decided in terms of right and wrong doesn't work out so easily in practice but, on the whole, then, when trying to decide, it seems to me that it does open up a situation where, if a person does have a claim under \$1,000 and has the advantage of having a good friend who is an attorney or is used to having the services of an attorney, that attorney might be able to appear and the other person involved may not be fortunate

enough to have those kinds of circumstances would be at a disadvantage.

It seems to me that the whole idea of a Small Claims Court was to have the Judge exercise a good deal of discretion in the settling of it, even to the point of aiding and assisting one or the other parties if the Judge felt that the essential justice in the matter required it. It does put a great deal of burden on the court, as such, in these cases, but that was the object in the first place and that is why, presumably, we try to have people of high caliber on the bench. So, in that event, I feel that what we should be doing is relying on the quality of the people on the bench rather than the ability of any individual claimant to be able to get a lawyer so, therefore, I feel that the Small Claims Division idea is being subjected, in this instance, with that amendment to circumstances which undermine the very reason for its existence.

Thank you."

Representative Garcia then rose and stated:

"I rise to speak in favor of the bill but rather than talk about it, I would like to insert into the record my comments."

The Chair then said:

"If there is no objection, so ordered."

Representative Kamalii then rose and stated:

"Mr. Speaker, there is an objection. I would like to hear what the Chairman has to say."

Representative Garcia responded, stating:

"Mr. Speaker, I don't mind speaking in favor of the bill.

One of the main objections is the possibility of having attorneys represent individuals in Small Claims Court, and the Committee spent many hours talking about this particular principle, but the stated purpose of prohibiting attorneys is to keep the costs low in achieving equality between parties. They may seem laudable, but the prohibition may have some undesirable effects, particularly since, under this bill, we are raising the jurisdictional amount to \$1,000.

The potential claimant who feels that he cannot adequately prepare

and present his case may be deterred from filing his claim if he cannot have assistance of counsel. A court tries to hear and decide a case fairly and impartially. It cannot prepare or present a case for a claimant. Moreover, a defendant, as well as a claimant, may need assistance of counsel, particularly when the facts or legal issues are complex and the amount of the claim is substantial. Also, when the legal issues are complex, having the benefit of research by counsel who are officers of the court, could aid the court in arriving at a proper decision. Achieving economy is desirable, but it should not be at the expense of precluding just and adequate representation.

Present law does not prohibit appearance of attorneys in small claims and this practice will not be changed. For that reason, I request that this particular body adopt this bill."

Representative Sutton then rose to rebut, stating:

"Mr. Speaker, nobody has talked in terms of the issue being economy. We are not talking of that; we are talking about justice. Economy is totally out of the picture. We are talking about the man on the street who doesn't have the money to hire an attorney and wants to go in and see that his claim is processed, or we are talking about the individual who has been brought in as a defendant. We very carefully look at the history of this throughout the United States. We don't have to look at Hawaii. Let's look at the state of California, and the amount of money has been raised in every state because of inflation.

The fact that you're at a thousand dollars does not preclude the basic concept that you are dealing with an opportunity for the individual to have to go into court without any legal hocus pocus, without any fancy briefs, without any of the attributes of what evidence comes in and what does not come in, and to have a judge and, theoretically, this judge should be the wisest of all judges because he is serving, really, as an arbitrator and as an attorney for both sides, and I feel that the arguments just stated do not present the basic issue. The basic issue is a Small Claims Court, Mr. Speaker, that will take care of the needs of the common man up to \$1,000.

I would have liked to see it at \$750, but if they want to say a thousand, fine. But, basically speaking, what we are trying to do, Mr. Speaker, is to allow that individual to satisfy his claim in such a manner that he is not precluded by high legal costs from adjudicating a just and reasonable claim."

Representative Garcia then rose and stated:

"Mr. Speaker, just a point of information.

Under this particular bill, it is not a requirement that a person hires an attorney to go to Small Claims; it is an option. So there is no change in the current practice relating to this."

Representative Blair then rose and stated:

"Mr. Speaker, I rise to speak in favor of the bill, and I would like to point out that under the purpose section, it is the purpose of this act to increase the small claims limit. The bill does not, in any way, affect anyone's right to counsel. Although that was considered, does this bill address the question of counsel at all? And when people vote on the bill, I hope they will not be confused into voting on the question of representing the Small Claims Court, but will realize that the only thing the bill does is increase the limit and if they are not in favor of increasing the limit, then they will vote 'aye'. If they are opposed to increasing the limit, they will vote 'nay.'"

Representative Cobb then rose and stated:

"Mr. Speaker, I rise to speak in favor of the bill, and in so doing, note the reservation that is expressed on page 3 of the Committee Report; that my reservation is in consonance with some of the earlier remarks expressed by representatives from the 15th and 13th districts.

However, in regards to the remarks by the previous speaker from the 14th district, I do feel that it is more important to have an increase dollar limit than to resolve the question of counsel although I would concur with the earlier remarks that, perhaps, this should be addressed as a separate issue."

Representative Kamalii then rose

to speak against the bill, stating:

"Mr. Speaker, some of the remarks that have been said I concur with, but I want to point out to this body that what is in the law and what is being practiced in our courts are two different things.

I personally have had experience with the Small Claims Court and have been denied a lawyer as a defendant. . . as a plaintiff. My whole concern is that if one is going to be allowed a lawyer, then the other should be allowed a lawyer, but this does not seem to be the practice. I have had our legal department check the rules of the court and it doesn't show--it shows either side can have a lawyer. But that does not appear to be the practice and so this was my concern. With the introduction of House Bill 43, it prohibited lawyers, and I was all for the bill. When it came out as a House Draft 1, it came back to the original statutes, and I understand that the Committee testimony was given that the practice was that anyone could have a lawyer, and unless any of you have had the opportunity to be in Small Claims where you can go with your \$300 and then find out that you're not only looking at a judge you don't know, but you have also a lawyer to contend with, and this is true.

I had amendments prepared for this bill, but I decided not to proceed with these amendments. I think now it'll probably be a far better approach to discuss this with the Chief Justice himself, so that is the route I am going to proceed on. However, I will also want to point out to this body that, in this bill, in the wage and personnel services case, present law permits the court to delay the losing party's payment of judgment if he convinces the court he is unable to pay.

This bill now amends to extend this unwise policy to all small claim cases and I think this is a very, very unwise policy that you now have in this bill. Therefore, I ask my colleagues to vote no."

Representative Abercrombie then rose and stated:

"Just a point or two of rebuttal.

I understand the section about raising the figure. . . if I can quote from Section 1: 'The legislature finds that the purpose of establishing

small claims courts was to simplify the court process for consumer grievances regarding small dollar amounts. The small claims limit was established at \$300', but due to inflation, the \$300 limit should be increased, and then we get into the rest of the problems.

I think I must agree with the representative from the 15th district that the whole idea here has been and should be that the judge be the wisest of people. This is not again an ideal situation, but nonetheless, I think, especially in small claims, probably a judge is more aware at that time; perhaps more than any other, the responsibility that he or she has on behalf of the community when being a judge. And it is precisely those circumstances that the parties involved are likely to feel they've got a chance if they can convince the judge, not argue with the lawyer, but if they can convince the judge; and I think, psychologically, that makes a whole of a difference if someone should have to appear. They don't have to argue against the other person; they don't have to be fluent; they don't have to have easy access to complicated legal procedures but, rather, they must convince the judge either by combination of manner and evidence which may be delivered orally, or delivered by virtue of papers and other accouterments of the presentation, only convince that judge. In other words, as to the justice of their case under such circumstances, I think it has been mentioned on this floor that, perhaps, the Speaker himself may one day be in exactly that position. Of course, we all know he is wise and judicious and, therefore, the people appearing before him would be in good hands and confident that their case would be adjudicated correctly. I see the representative from the 15th district smiling broadly at that, having confirmed his previous announcements in that area by that statement, and I think that that is the proper way to go about it. My only hope is that I, myself, will never have to appear in such a situation."

Representative Cayetano then rose and stated:

"Mr. Speaker, I favor this bill but I would like to clear up what Small Claims Court is about in practical terms. There seems to be some misconception about the value of a lawyer in Small Claims Court.

Actually, the value of an attorney in Small Claims Court is greatly overstated

because in Small Claims Court, the rules of evidence are different and a lawyer's value comes because he knows the rules of evidence and he is able to present evidence to the trial in a certain fashion. This is not available in a Small Claims Court.

Frankly, I think, in most cases, people who go to Small Claims Court are wasting their money if they hire lawyers.

Thank you."

Representative K. Yamada then rose and stated:

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

The honorable representative from Manoa seem to lay a great deal of discretion on the part of the judge and reliance on the wisdom of the judge. Mr. Speaker, this bill doesn't change that. We are not going to change the judges; we are not going to change the discretion. All this bill asks for is an increase in the jurisdictional amount from \$300 to \$1,000 and that is the only question before this court. If we are in favor of increasing the jurisdictional amount, then you shall vote in favor of the bill and, of course, if you are opposed, then you shall vote against it.

I might add, Mr. Speaker, that before the session started, we held hearings throughout the State. We talked to the judges; we talked to the attorneys, and we asked them questions about this particular problem, and I think there has been no opposition to the increasing of the jurisdictional amount and that we are all in favor of it.

Now, as for an attorney appearing in Small Claims Court, Mr. Speaker, I might tend to say that an attorney has a negative value in Small Claims Court because, say, if a person is represented by counsel, the judge would have a great tendency to go the other way to mete out his justice, so the honorable representative from Manoa, I think, is well justified in saying we ought to let the whole problem lay at the discretion of the court. I do agree with that, but that is not changed by this bill so I urge my colleagues to vote for this bill."

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

"Mr. Speaker, I want the honorable representative who just spoke to know that I just laughed. . . I was amused at one point in his talk, not because of his delivery, but he had said, 'before the court' rather than 'session', and that was just a reaction. I was not amused by his presentation as such. I think it was very well put."

Representative Suwa then rose and stated:

"Mr. Speaker, although I will be voting for this measure, I would like to insert into the Journal that I understand that this, in no way, increases the staff in the future as far as the budgetary request is concerned. Therefore, may the Journal reflect that, because at a future date the money committee may have to look at this Journal in deciding the position count in this area.

Thank you, Mr. Speaker."

Representative Kunimura then stated:

"Mr. Speaker, I must agree that the only thing that is going to be changed by this particular bill is the jurisdictional amount, but we must all be aware that if you have a chicken coop full of old, skinny chicken, you are not going to attract the foxes and the wolves. We are going to make this chicken coop full of little fatter chickens. I am afraid we may attract some wolves into the chicken pen because that is a big difference between \$300 and \$1,000.

And if the idea is that the value of the attorney in Small Claims Court is negative because of the judge, we must also remember that the only judge I trust is God. The rest are human beings, and I notice judges golf with attorneys and this makes it kind of difficult for many to say they are going to be impartial.

Also, Mr. Speaker, the whole idea about the Small Claims Court is to expedite, like the good representative from. . ."

At this point, Representative Carroll rose on a point of order and stated:

"I would like to know whether the representative is speaking for or against the measure."

Representative Kunimura replied:

"I am glad you asked because if there is any attorney here that thinks I am speaking for the bill, they should re-examine his license. I am speaking against the bill.

Mr. Speaker, we have committees in the Legislature and if we find that a proposal called a bill is inadequate; we find what is existing is inadequate; then, we should try and improve it. I am not criticizing the Committee, Mr. Speaker, but maybe this bill can be a great improvement with a simple amendment that anybody who wants legal representation go through the other avenue--one take the high road and another take the low road. If you want Small Claims Court, you don't want any representation, then go to the Small Claims Court. But anytime anybody feels, even with the \$25 litigation, he wants an attorney, he should go through the regular procedure. In that way, we are going to protect those who are unaware that the value of the attorney in a Small Claims Court is negative, because a lot of people feel that they are going to have a better chance because attorneys will be representing them and this is a classical case.

Everytime you talk to people, they say, well, my attorney is a good one and I know I have a good chance. I think since we afford this kind of dispute in two different kinds of Court with different setting, then maybe the rules of the game should be that when attorneys represent their clients, they go through the high road and who want the low road, the Small Claims Court, then they should take that road and have that right.

I don't want to prohibit anybody from having representation in the court of law, but since we will have this dual track, that we can, I think, set policy, prescribe that by law, and beware of the attorneys because there are some real mean ones."

The Chair remarked:

"And there are many good ones."

Representative Cayetano then rose to rebut the previous speaker, stating:

"In rebuttal to some of the remarks he made about judges playing golf with lawyers, I would just like to point out that legislators play golf

with businessmen. We play golf with all kinds of people from special interest groups so what is he really saying?"

Representative Kunimura rose and asked:

"Mr. Speaker, may I answer that?"

Directed by the Chair to "proceed", Representative Kunimura stated:

"I will make it very clear--when legislators play golf with businessmen, either one or the other doesn't make this kind of 'life and death' decision. I must admit, in our society, the judge acts or plays 'God', okay? When the practitioner plays golf with the judge, I don't know what the hell goes on in the 19th hole."

Representative Larsen then rose and stated:

"Mr. Speaker, I would like to request the Chairman of Judiciary to defer this bill one day to give us a chance to look into it a little deeper."

Representative Garcia answered:

"I believe there has been enough discussion on this bill. I would like to have this body vote on this."

Representative Blair then rose and stated:

"Mr. Speaker, just briefly--when this bill came to the Committee on Judiciary, it addressed two imagined grievances or problems with the existing law. The fact that we chose to address only one in the House draft version was a result of the fact that we could reach consensus on only one, and I would hate to see us defeat one beneficial effect for the simple reason that it doesn't contain the second. Perhaps at a later time, the second question would be resolved, but I would hope that we would not be so blinded by the fact that we objected to the non-inclusion of a second reform, that we voted against the first.

Thank you."

Representative Kamalii was recognized by the Chair and she stated:

"Here again, I would like to point out to this body, if that is the consensus of our representative from the 14th district, if this was pointed out in Committee, then why are we passing

a bill that isn't going to solve the problem? Here again, we're piecemealing our legislation and, you know, I don't understand--we'll take care of the problem the next time? Why not take care of the problem today?"

Representative Cobb rose on a point of order and stated:

"I rise on a point of order that the consensus mentioned in Committee was not, in fact, the case; that when the vote was taken, there was a minority vote and that is reflected on the Committee Report. But in speaking again in favor of the bill, I don't think it's worth stopping the progress of this bill because of the second problem that has not been yet resolved. I think one of the primary considerations we have to keep in mind is we've never seen this bill come back from the Senate yet, and I would like to have an even chance on that."

Representative Abercrombie then rose and when asked by the Chair "for what purpose do you rise?", Representative Abercrombie replied:

"I rise to rebut the. . ."

The Chair interrupted, stating:

"The Chair will have to invoke the rule that under the House Rules, a person is allowed to take the floor no more than twice and you have taken that already."

Representative Abercrombie stated:

"Mr. Speaker, the rule is. . .that is so during the discussion, but if no one rises to speak again, that you may speak again."

The Chair replied:

"That is not my understanding of the ruling, Representative Abercrombie."

Representative Naito then rose and yielded her time to Representative Abercrombie.

The Chair then said:

"It is not the question of time; it is the question of how many times a person is allowed to take the floor."

Representative Abercrombie stated:

"Mr. Speaker, under Cushing, it states that one may speak twice in addressing an issue, but if at

the end of a discussion, if no one wishes to speak further on it and the person who has spoken twice wishes then to make a further comment, that he or she be allowed to do so."

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

"The Chair's ruling is covered under Rule 47, page 30: 'Debate: Limits. No member shall speak longer than ten minutes on the same question; provided, however that any member may yield his speaking time to another member. No member shall speak more than twice on the same question without leave of the House; provided, however, that the movant of the matter pending shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.'

Therefore, Mr. Speaker, unless the House consents unanimously, no member may speak on the motion more than twice, save the movant of the motion who is the Chairman of the Committee."

Representative Abercrombie then stated:

"May I comment in respect of what the previous speaker brought to your attention?"

The Chair replied:

"The Chair has ruled, Representative Abercrombie."

Representative Abercrombie stated:

"All right then, I must appeal the rule on the following basis, Mr. Speaker. May I state my reason for appealing your judgment?"

Directed by the Chair to "state your reasons", Representative Abercrombie stated:

"The previous speaker indicated that no one may speak more than twice and indicated ten minutes. Inasmuch as I did not speak ten minutes and I am entitled to speak for ten minutes, even though I decided that, and he has indicated that the consent of the House is necessary for a person to speak again, then what I am doing is requesting this House to allow me to speak one more time inasmuch as I have not consumed the ten minutes I might have consumed the first time under the rules. So, I appeal to you or, if necessary, by your rule, to the members of

this House to let me speak one more time."

The Chair then announced that "the Chair's rule has been appealed."

The motion was denied for lack of a second.

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

"The point of order, sir, is that we have had a discussion; we have had a counter discussion, and then we have had two rebuttals. The movant was the Chairman of the Judiciary Committee. He does have a final chance of rebuttal. May I ask him if he is going to take a final chance?"

At 12:25 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 12:29 o'clock p.m.

Representative Abercrombie then rose and stated:

"Mr. Speaker, having accepted your ruling by virtue of the failure to get a second on my appeal, I now, under the rules, would like to appeal to the House for its consent to speak a third time."

Representative Naito then rose on a point of information and asked:

"Does that request require a second?"

The Chair replied:

"No second is necessary. Representative Abercrombie has requested consent from the House to speak more than twice under Rule 47.1."

The motion was then put to a voice vote and defeated.

The Chair then said:

"Representative Abercrombie, your request is denied."

Roll call having been requested, the motion was put by the Chair and carried, and H.B. No. 43, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT", having been read throughout, passed Third Reading by a vote of 43 ayes to 8 noes, with Representatives Abercrombie, Ajifu, Campbell, Evans, Kamalii, Kunimura, Peters

and Sutton voting no.

H.B. No. 1292, HD 1:

Representative Suwa requested that action on H.B. No. 1292, HD 1, be deferred to the end of the calendar, and the Chair, noting that there were no objections, so ordered.

The Chair directed the Clerk to note that H.B. Nos. 57, 927 and 930 had passed Third Reading at 11:55 o'clock a.m.; H.B. Nos. 680 and 575 at 11:56 o'clock a.m.; and H.B. No. 43 at 12:32 o'clock p.m.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

H.B. No. 177 on Third Reading:

On motion by Representative Uechi, seconded by Representative Inaba, H.B. No. 177, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 177 had passed Third Reading at 12:33 o'clock p.m.

Stand. Com. Rep. No. 418 on H.B. No. 160, HD 1:

Representative Cayetano moved that the report of the majority of the Committee be adopted and H.B. No. 160, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Takamura.

Representative Peters then rose and stated:

"Mr. Speaker, I have a real lengthy presentation to make to my colleagues and I guess they can read it in the Journal so, if I may, I would like to request that it be plugged into the Journal."

Representative Kamalii then rose on a point of information and asked:

"The insertion into the Journal-- is that for or against the measure?"

Representative Peters replied that "it is against the measure."

The Chair, noting that there were no objections, so ordered.

The following is the remarks of

Representative Peters:

"Mr. Speaker, I rise to speak against House Bill 160. I know that the issue of a general aviation airport for Oahu has been a long standing one here in the Legislature. I also know that many of my colleagues here feel that it needs to be resolved once and for all. But I, for one, would like to remind the members of this honorable body, that our job here is not to make a decision only for the sake of making a decision. Our job here is to carefully analyze and examine the background of the many issues before us, particularly those of long standing.

Mr. Speaker, if I may, I would like to take a few minutes to point out some of the facts in this particular issue, devoid of political implications. My colleagues on the House Committee on Energy and Transportation are familiar with my objections to this bill, especially my dear friend, the Chairman. But I would like to note some of the facts as I see it for the other members of the House.

First of all, I have no argument with the 'Oahu General Aviation Master Planning Study', generally referred to as the 'Kentron Study'. But, as with any study, one must examine the assumptions upon which it is based. This study assumes that Oahu needs a general aviation site. Mr. Speaker, fellow members of the House, at no time, was the alternative of no new airport facility considered. They say that a general aviation airport will relieve the 'congestion' at Honolulu International Airport. By admission of general aviators themselves, this 'congestion' constitutes only a minor safety problem, and the inconvenience of delays are 'not intolerable or significant'.

I would like the record to note that the 'congestion' is a result of inopportune scheduling. General aviation operations, strange as it may seem, coincide with peak operations of the larger commercial carriers. In two words, Mr. Speaker, 'poor planning'. General aviation operators and student pilots should not and do not expect to fly at peak traffic times for such purposes as instruction, proficiency and recreation.

Furthermore, Mr. Speaker, not all of the general aviation businesses operating in Hawaii responded to the Kentron questionnaire. And of those that did, none are willing to relocate their present operations

away from Honolulu International Airport to another site. In fact, many said that they would not use the new facility. I can understand this, since some operators have too much invested in their present operations and many cannot economically maintain two separate offices. Furthermore, their 15 year leases at Honolulu International have expired, and renewals are presently being negotiated with D.O.T. Now I ask you--what is the sense of our considering relocation when leases at Honolulu International are being renewed?

General aviation operators themselves have suggested that the air traffic flow of Honolulu International can be redesigned to allow the safe operation of small planes, and have stated a preference for staying where they are. It seems to me that the designation of a separate airfield at Honolulu International would be a more practical and, I might add, cheaper solution.

House Bill 160 proposes that Barber's Point Naval Air Station be a general aviation site, but the Navy will not recommend joint use of military and civilian aircraft. In fact, the entire proposal is contingent upon an agreement with the Navy and recent experience has shown us how 'agreeable' the United States Defense Department can be in Hawaii.

E. Alvey Wright has said that the Navy will never go along with the plan. He said, 'It will be as difficult as getting Kaho'olawe, and so by choosing Barber's Point, you are, in effect, saying that you will have no general aviation airport.' This proposal is contingent upon the support of the administration, contingent upon the efforts of our congressional delegation, contingent upon funding, and contingent upon the Navy.

Mr. Speaker, we are not here to vote on contingencies. My point is a simple one. We have not given the issue our full and our best analysis; we have not sufficiently examined other alternatives, including the use of Ford Island. Not many of you may know that Ford Island is presently being used for general aviation operations with permission from the Navy on a six-month to six-month lease basis. It is already in use; it seems satisfactory; it is a more central location. Why can't we focus our efforts on Ford Island? Why can't the Transportation Committee generate as much enthusiasm for Ford Island as it has for Barber's Point?

Mr. Speaker, the proponents of a general aviation airport must still factually demonstrate to all of us that the need for relocation to Barber's Point will clearly outweigh the many other critical problems facing the people of our State. And I do believe that we have higher priorities to face, given our limited resources.

Until we can honestly say that the location of a general aviation airport is the most important issue we need to resolve--until we can honestly say that we've given all of the alternatives full examination, I must urge my colleagues to vote 'no' on this bill.

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. 160, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL AVIATION", passed Second Reading and was referred to the Committee on Finance, with Representatives Abercrombie, Aki, Kunimura, Peters and Sutton voting no.

#### COMMITTEE REASSIGNMENTS

The following bill (H.B. No. 408) and resolution (H.R. No. 108) were re-referred as follows:

H.B. No. 408 was re-referred to the Committee on Finance solely.

H.R. No. 108 was re-referred to the Committee on Housing, then to the Committee on State General Planning, then to the Committee on Legislative Management.

At 12:27 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House stood in recess until 6:00 o'clock p.m. this evening.

#### EVENING SESSION

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

#### STANDING COMMITTEE REPORTS

Representative Aki, for the majority of the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 435) recommending

that H.B. No. 1097, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the majority of the Committee was adopted and H.B. No. 1097, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", passed Second Reading and was referred to the Committee on Judiciary, with Representative Sutton voting no.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 436) recommending that H.R. No. 17 be referred to the Committee on Judiciary.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.R. No. 17, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF MINORS' RIGHTS", was referred to the Committee on Judiciary, with Representative Sutton voting no.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 437) recommending that H.R. No. 205 be referred to the Committee on Finance.

On motion by Representative Caldito, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.R. No. 205, entitled: "HOUSE RESOLUTION RELATING TO PIGEON CONTROL", was referred to the Committee on Finance.

At 6:17 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:24 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. 205, HD 1:

Representative Ueoka moved that H.B. No. 205, HD 1, having been

read throughout, pass Third Reading, seconded by Representative Shito.

Representative Carroll then rose and stated:

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

In the past, Mr. Speaker, it has been considered that this bill had a number of holes in it and I think that it keeps popping up every year-- each year in better shape. I think that now it's gone a long stretch, and it's really stretching the point not to vote 'aye'.

Thank you."

Representative Sutton then rose and asked:

"Did you recognize me?"

The Chair replied:

"I'm trying to miss you but your being so huge, I cannot help but recognize you."

Representative Sutton stated:

"Mr. Speaker, I rise to speak against this measure.

Mr. Speaker, we have, in Hawaii, a very unique situation. We have confined many of our activities to stores. The concept of vending machines has never spread here in Hawaii in the same way as it has on the mainland. If you go to some of their stores, you will find a totally venditized store.

Now, we really do not need to make prophylactics in mechanical coin-operated machines as available as it is. I recognize that there is a prohibition in this bill against being on school grounds, but right adjacent to school grounds, there are many commercially zoned areas where these machines would then stand, and there would be a symbol.

It is but a few years since you and I were in high school and I don't think we remember those days with anything but a great deal of elation."

The Chair interrupted:

"Representative Sutton, there are many years for you and few for me."

Representative Sutton continued

his remarks, stating:

"Then why were you taking the Bar at the same time I was?"

Mr. Speaker, these sales by vending machines will serve only to induce, and then to seduce, and then to reduce and, therefore, Mr. Speaker, we are not achieving something that this Legislative body, with its high intents, which has been elected by the populace of these various districts, intended to do. What we are here to do is to legislate, not to make something more simple from the point of view of a violation of the moral codes.

Now, moral codes are the basis of our law so we cannot say, oh, something is moral and something is legal. We have to look at the morality first, and we should be setting an example to those who are less mature and who had less experience and say, in so many words, there are such things as what the Germans used in the word, 'verboten' and 'verboten' is translated as 'tabu', and these are some of the things which rightly are tabu by the mores and the morality of our whole civilization.

I feel that Gerri Madden is a brave, courageous and delightful person and I think that sometimes she catches how to make an argument better than I do. She uses the concept of ad absurdum, and she came in and testified to us and she said, 'Yes, why don't you have one of these machines right in here.' We might get the urge in here. She suggested that we put it right in that circular spot out there, and how would you like to see a vending machine that might look like we're in Vegas or something like that and see whether we can get three purple grapes. I think her argument began to bear in on my mind and I began to see the validity of her thinking, that if you make something too easy, you don't really accomplish the mission.

The main mission in this bill is to prevent venereal disease from spreading and to prevent the horrible gonorrhoea from spreading, and we recognize that, and also, it is a type of birth control but we do recognize that if you induce, you will seduce.

Thank you."

Representative Narvaes then rose to speak in favor of the bill, stating:

"Mr. Speaker, as the youngest member of this House and an active combatant in the sex revolution which

has been sweeping the country for the past decade, and taking into consideration the multitude of liberated and aggressive women who roam the beaches, streets, and night spots of our innocent State, I feel the need to pass House Bill 205 with the utmost of urgency.

Thank you."

At this point, Representative Blair rose and asked if Representative Narvaes would yield to a question to which Representative Narvaes answered:

"I will yield if Representative Blair will also yield to a question."

Representative Blair then asked:

"As an active combatant, have you received a purple heart as yet?"

The Chair interrupted:

"Representative Narvaes, you may be excused from answering."

Representative Narvaes replied:

"What I have received have been greater than purple hearts."

Representative Stanley then rose to speak in favor of the bill, stating:

"Mr. Speaker, I can understand the comments of my colleagues in some spirit of humor regarding this bill, but I would really like to remind everyone that as a representative of many people who stand to benefit from such a provision as this, I think we have to seriously think about this bill and recognize the solid benefits that it will render to our community and to all of its citizens and I urge my colleagues, in seriousness, to support this measure.

Thank you."

Representative Lunasco then rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill and in doing so, I have been here six years and my learned colleague from Nuuanu has been around as long as I have. I have seen arguments pro and con in favor of this bill, but one thing I must say is that vending machines do not promote what he stated. Believe me, the guy had the idea before the vending machines came about. It just gave an added protection to the individual that if he wants

to do it, at least, maybe hopefully, he won't get a purple heart like Mr. Narvaes.

But, anyway, Mr. Speaker, what I am really trying to say is that it is unfortunate that we are limited to private property rather than schools. For those of you who have been in the Army and have been overseas, believe me, you went to the Quartermaster and he issued it to you. Of course, I have never been overseas, but I have heard cases where people, before going on leave, requested from the Quartermaster.

What I am trying to say, Mr. Speaker, venereal disease outbreak among our young people is the greatest rather than the older generation, and I see no reason why we should limit it only to private facilities rather than public, but I must say that I hope all of the members here will take into consideration our younger generation and give them the option of at least getting the protection they need.

Thank you."

The motion was put by the Chair and H.B. No. 205, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF PROPHYLACTICS IN VENDING MACHINES", having been read throughout, passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives Evans, Medeiros, Poepoe, Sutton and Uechi voting no.

#### H.B. No. 217:

On motion by Representative Takamine, seconded by Representative Shito, H.B. No. 217, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Sutton voting no.

#### H.B. No. 216:

On motion by Representative Takamine, seconded by Representative Shito, H.B. No. 216, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", passed Third Reading by a vote of 51 ayes.

#### H.B. No. 604:

On motion by Representative Takamine, seconded by Representative Stanley, H.B. No. 604, entitled: "A BILL

FOR AN ACT INCREASING INDEMNITY BENEFITS PAYABLE UNDER THE HAWAII WORKERS' COMPENSATION ACT", passed Third Reading by a vote of 51 ayes.

At 6:36 o'clock p.m., on request by Representative Kamalii, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:37 o'clock p.m.

H.B. No. 848:

Representative Takamine moved that H.B. No. 848, having been read throughout, pass Third Reading, seconded by Representative Stanley.

Representative Takamine then requested that the following testimony (Case No. E-14103) of Mr. Umeyuki Taniguchi to House Bill No. 848 be entered into the Journal, and the Chair, noting that there were no objections, so ordered:

"TESTIMONY TO H.B. NO. 848

I would like to enlist all your help in aiding the many people of Hawaii, including me, who, through no fault of our own, are not able to earn decent wages for ourselves and our families. I am referring to people like myself who must depend on Worker's Compensation due to physical disability caused by on the job accidents. I became totally disabled 12 years ago, and the Department of Labor and Industrial Relations Worker's Compensation Division made the decision of permanent total disability and awarded me supplemental compensation benefits on June 18, 1969.

As the years go by and I am still unable to earn a living, no measures are taken to increase my monetary compensation in order to keep up with the rising cost of living. Therefore, in my case, my family and I must try to live on the funds based on wages that I earned 12 years ago. How many people today would be able to live on wages they earned 12 years ago?

Each year, as the cost of living goes higher and higher, it becomes more and more difficult for all of us who have no choice but to rely on Worker's Compensation.

According to Governor Ariyoshi's letter written to me October 16, 1974, in the past, bills to alleviate this situation have been introduced to the Legislature, but none have passed. Also, according to Representative Evans' letter written to me on October 12, 1976, she and 6 other representatives have introduced measures to attempt to increase benefits to disabled people (H.B. 1489) but unfortunately the bill did not pass.

I also wrote letters to House Speaker Wakatsuki and to Representatives R. Garcia, R. Ajifu and R. Wasai in past years. All these honorable persons have sent me very sympathizing letters, understanding my situation.

I really wish that you pass H.B. 848 in this session. It will be a big help to all the disabled workers in Hawaii.

This bill will remedy this situation.

Thank you very much."

The motion was put by the Chair and H.B. No. 848, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading by a vote of 51 ayes.

H.B. No. 218:

On motion by Representative Takamine, seconded by Representative Stanley, H.B. No. 218, entitled: "A BILL FOR AN ACT RELATING TO THE WAGE AND HOUR LAW", passed Third Reading by a vote of 45 ayes to 6 noes, with Representatives Carroll, Ikeda, Kamalii, Medeiros, Poepoe and Sutton voting no.

H.B. No. 653:

On motion by Representative Garcia, seconded by Representative K. Yamada, H.B. No. 653, entitled: "A BILL FOR AN ACT RELATING TO REMOVAL OF IDENTIFICATION MARKS", passed Third Reading by a vote of 51 ayes.

H.B. No. 2, HD 1:

Representative Suwa requested that consideration of H.B. No. 2, HD 1, be deferred to the end of the calendar and the Chair, noting that there were no objections, so ordered.

H.B. No. 142:

Representative Dods moved that H.B. No. 142, having been read throughout, pass Third Reading, seconded by Representative Cobb.

Representative Abercrombie then rose to speak against H.B. No. 142, stating:

"Mr. Speaker, I would like to draw your attention and the members' attention to the purpose of this bill as stated in the Committee Report which is to expand the focus of the Department of Planning and Economic Development's tourism development program by enabling all other visitor industry organizations to be eligible for State funds to be used for promotional purposes under contract with this Department.

Mr. Speaker, we are asking the taxpayers of this State to fund the Department of Planning and Economic Development. We are asking the taxpayers of this State, in turn then, to have that Department contract out for promotional purposes with private industry and the so-called visitor industry. God knows how many people will be included in that once they find out that money from the State is available. Asking them to spend such money for promotion for an industry which has consistently-- day in and day out, month in and month out, year in and year out-- refused to consider a hotel room tax which would enable the State, not only to help fund projects which would be of use to the visitor industry but private employment for our own people, but which, in turn, Mr. Speaker, forms part, that is to say, in terms of the taxation which would come our way, forms part of the funding for the Department of Planning and Economic Development itself. To me, it is a height of arrogance to expect the people of this State to shore up more money to private groups and organizations within the visitor industry when, at the same time, they are cutting our throats by refusing to support a hotel room tax.

I draw your attention to the third paragraph in the Committee Report: 'The Department may contract with any other non-profit trade association organized by and consisting of businesses or individuals involved in the visitor industry.' Boy, what a picnic that is going to be--individuals involved in the visitor industry!

I don't ever recall the Department of Planning and Economic Development expressing an interest when I was a waiter at Chuck's Steak House in Waikiki and gave me a few weeks off to promote visitor satisfaction by relieving me of my duties down there when I was working. I was an individual with the visitor industry. Do you suppose they are going down and contact whoever took my place at Chuck's now and see whether he or she wants to take some time off to promote tourist and development services. I can't imagine what development services it is going to be. All this is is an open invitation for any scheme artist in the State and the guys of tourist promotion and development to come into the Department of Planning and Economic Development and ask them for funds.

Now, I suppose that the protection against this is going to be authorized for individuals or groups; that is to say, those who have told the party line of the visitor industry in respect of the hotel room tax, so that any individual that does, in fact, have some idea about promotion of the visitor industry or development in that area. . . any individual who does not express similar views to those who now control the industry, will be shut out. Of that, I have no doubt, and this is the thing that bothers me. We are not going to get anything creative out of this. What we are going to get is an opportunity for the insiders to line their pockets with more of the taxpayers' money; for the insiders to come up with schemes to benefit themselves; for the insiders in the visitor industry to promote more propaganda against the hotel room tax and the guys of some kind of objective analysis of what's good for us in the State of Hawaii and in relation to the visitor industry. I think the bill is nothing but a rip-off for the visitor industry. I think that the Department will see no projects or plans before it does have the approval of the visitor industry nor do I think that any of such projects or plans, should they ever make it to the Department, will be approved unless it has the approval of the insiders in the visitor industry.

I draw your attention then, finally, to the second to the last paragraph where it states: 'Your Committee feels that because there is much concern to encourage greater economic growth throughout the State, especially on the neighbor islands, perhaps greater support through marketing and promotional efforts should be directed towards specific areas, type of visitors, and

the like. The combined efforts of the non-profit trade associations within the visitor industry would thus result in attracting more visitors to Hawaii. Now, I have heard of 'pie-in-the-sky' before; I have heard of instances in which there was what might be termed wishful thinking operating. I heard of motherhood language before, but I don't believe that I have seen a paragraph in any report of any Committee before the Legislature for Third Reading that is more 'pie-in-the-sky' wishful thinking than this particular paragraph. Many paragraphs which I have seen before reflected more motherhood language which had no meaning other than the fact that a few of the boys are going to make plenty of money out of it. I can see the non-profit trade associations finally finding themselves in a very profitable situation.

Now, if it is the will of this Legislature that private groups and individuals be paid off in some fashion or be given the opportunity to skim off the taxpayers, so be it. But I will not be a part of that. I will most certainly consider any legislation that benefits individuals and groups of a private nature where compelling public interest can be shown to exist. That, I think, is well within the purview of the legislative purpose and in the public interest when it can be proven; when it can be shown in public, in decision-making made by Committees of the Legislature in respect to specific projects, individuals and groups. But what this is is a license to go out and find those individuals; find those projects; find those groups, and I have no doubt that those that will be found will be those who are deserving. That is to say, deserving the support of the visitor industry which is against the hotel room tax. No one else will be allowed to participate. I think, under these circumstances, that to vote 'aye' on this bill is an invitation to skulduggery in this State that has been scarcely met since I have been in the Legislature."

The motion was put by the Chair and H.B. No. 142, entitled: "A BILL FOR AN ACT RELATING TO TOURISM DEVELOPMENT", having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Abercrombie and Cobb voting no.

H.B. No. 429:

On motion by Representative D. Yamada, seconded by Representative Cobb, H.B. No. 429, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS", passed Third Reading by a vote of 51 ayes.

H.B. No. 213:

On motion by Representative Takamine, seconded by Representative Stanley, H.B. No. 213, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING OF WAGES", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 205, 217 and 216 had passed Third Reading at 6:35 o'clock p.m.; H.B. No. 604 at 6:36 o'clock p.m.; H.B. Nos. 848 and 218 at 6:37 o'clock p.m.; H.B. No. 653 at 6:38 o'clock p.m.; H.B. Nos. 142 and 429 at 6:45 o'clock p.m. and H.B. No. 213 at 6:46 o'clock p.m.

At 6:46 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:47 o'clock p.m.

#### DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

H.B. No. 1292, HD 1, on Third Reading:

Representative Suwa moved that H.B. No. 1292, HD 1, having been read throughout, pass Third Reading, seconded by Representative Lunasco.

Representative Abercrombie then rose to speak in favor of the bill, stating:

"I would like to draw the members' attention to the third paragraph of the Committee Report where Section 3 has been amended to reflect the funding change in the amount of more than \$8 million for the correctional facility project, Mr. Speaker.

I had expressed earlier to the Chairman of the Corrections Committee and some other members in that bracket area my concern that Modules 17, 18, and 19, as well as Module 'C' and the high security facility had not been funded as a result of the budget problems

last year and I felt that these were absolutely essential to the progress of the Correctional Master Plan, inasmuch as these particular Modules, for the information of those members who do not know it, will be resolved in the work-furlough kind of programs and the work area programs in getting people into the community in a way that has positive benefit, both for the prison system as a whole and for the community--the wider community as a whole.

With this change, Mr. Speaker, it looks like they will be able to go through with this project where they had not previously been able to do so. So if there is any doubt in anybody's mind concerning the bill, if that information helps to make up their minds in a positive fashion, I hope that they will consider in voting yes."

The motion was put by the Chair and H.B. No. 1292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS", having been read throughout, passed Third Reading by a vote of 51 ayes, which was not less than two-thirds of all the members to which the House is entitled.

H.B. No. 2, HD 1, on Third Reading:

On motion by Representative Suwa, seconded by Representative Garcia, H.B. No. 2, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR JUDICIARY PROGRAM EXPENDITURES AND FOR IMPROVEMENTS FOR THE FISCAL BIENNIUM JULY 1, 1977 TO JUNE 30, 1979, AND AUTHORIZING THE ISSUANCE OF BONDS", passed Third Reading

by a vote of 51 ayes, which was not less than two-thirds of all the members to which the House is entitled.

The Chair directed the Clerk to note that H.B. Nos. 1292 and 2 had passed Third Reading at 6:50 o'clock p.m.

At 6:51 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 6:52 o'clock p.m.

At this time, the Chair made the following announcements:

"Beginning tomorrow, we will have sessions twice a day--one in the morning and one at early evening.

For all guests invited to appear on the House floor, the Chair requests that these guests be invited one-half hour after the convening of the session. In other words, if the session begins at 11:15, request your guest to be here half an hour later. The purpose for this is to get started on the clocking of the Second Reading bills to be placed on the calendar for Third Reading."

#### ADJOURNMENT

At 6:53 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 11:15 o'clock a.m. tomorrow, Wednesday, March 9, 1977.

## THIRTY-FIFTH DAY

Wednesday, March 9, 1977

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, convened at 11:15 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Herbert Conley of St. Andrew's Cathedral, after which the Roll was called showing all members present.

The Clerk proceeded to read the Journal of the House of Representatives of the Thirty-Fourth Day.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Thirty-Fourth Day was approved.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 25 to 33) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 25) transmitting Senate Concurrent Resolution No. 38, SD 1, respectfully urging the President of the United States and the Congress of the United States to initiate certain reforms in the Food Stamp Program, was placed on file.

A communication from the Senate (Sen. Com. No. 26) transmitting Senate Concurrent Resolution No. 96 urging Congress to maintain the current level of aid to federally impacted areas for educational programs in the State of Hawaii, was placed on file.

By unanimous consent, action on S.C.R. Nos. 38, SD 1, and 96 was deferred until tomorrow, March 10, 1977.

A communication from the Senate (Sen. Com. No. 27) transmitting Senate Bill No. 96, entitled: "A BILL FOR AN ACT RELATING TO EXPORTS OF FLOWERS AND FOLIAGE", which passed Third Reading in the Senate on March 8, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 28) transmitting

Senate Bill No. 159, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", which passed Third Reading in the Senate on March 8, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 29) transmitting Senate Bill No. 237, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", which passed Third Reading in the Senate on March 8, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 30) transmitting Senate Bill No. 352, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", which passed Third Reading in the Senate on March 8, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 31) transmitting Senate Bill No. 416, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES OF COUNTY LEGISLATIVE BODIES", which passed Third Reading in the Senate on March 8, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 32) transmitting Senate Bill No. 745, entitled: "A BILL FOR AN ACT REPEALING CHAPTER 156, HAWAII REVISED STATUTES, RELATING TO THE FARM ADVISORY BOARD", which passed Third Reading in the Senate on March 8, 1977, was placed on file.

A communication from the Senate (Sen. Com. No. 33) transmitting Senate Bill No. 982, entitled: "A BILL FOR AN ACT TO AMEND CHAPTER 46, HAWAII REVISED STATUTES, RELATING TO GOVERNMENTAL PROVISIONS COMMON TO ALL COUNTIES", which passed Third Reading in the Senate on March 8, 1977, was placed on file.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, S.B. Nos. 96; 159; 237, SD 1; 352, SD 1; 416; 745; and 982 passed First Reading by title and further action was deferred until tomorrow, March 10, 1977.

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

Representative Sutton introduced a string ensemble comprised of students from Kawanakoa Intermediate School and Moanalua Intermediate School.

Representative Kamalii introduced Mr. James McClemmer from Kansas City, who was accompanied by Ms. Betty Berry.

Members of the Wahiawa Consumer Education Club, led by President James Takeshita, were introduced by Representative Nakamura. "The purpose of this Club is to develop social fellowship by the study of economics through consumer education."

Representative Aki introduced a group of Ewa Beach residents, who were hosted by Lily Legaspe from the Lt. Governor's office.

Representative K. Yamada introduced seven students from the Big Island Council of Students, who were accompanied by their teacher/advisor, Mrs. Lillian Salazar.

#### ORDER OF THE DAY

##### COMMITTEE REFERRALS

The following Senate Bill (S.B. No. 147) was disposed of as follows:

<u>S.B. No.</u>	<u>Referred to:</u>
147	Committee on Consumer Protection and Commerce

##### DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 477 to 481) and concurrent resolutions (H.C.R. Nos. 81 to 87) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
477	Jointly to the Committees on Housing and Agriculture
478	Committee on Judiciary, then to the Committee on Finance
479	Committee on State General Planning
480	Committee on Water, Land Use, Development and Hawaiian Homes, then to the Committee on Culture and the Arts
481	Committee on Employment Opportunities and Labor Relations, then to the Committee on Legislative Management

H.C.R. Nos.

81	Committee on Public Assistance and Human Services
82	Committee on Consumer Protection and Commerce
83	Committee on Employment Opportunities and Labor Relations
84	Committee on Employment Opportunities and Labor Relations
85	Jointly to the Committees on Housing and Agriculture
86	Committee on Judiciary, then to the Committee on Finance
87	Committee on State General Planning

##### COMMITTEE REASSIGNMENT

House Resolution No. 106 was re-referred to the Committee on Youth and Elderly Affairs, then to the Committee on Legislative Management.

##### UNFINISHED BUSINESS

Stand. Com. Rep. No. 416 on H.B. No. 14, HD 1:

By unanimous consent, action was deferred until the end of the morning calendar.

Stand. Com. Rep. No. 417 on H.B. No. 11, HD 2:

By unanimous consent, action was deferred until the end of the morning calendar.

##### STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 438) informing the House that House Resolution Nos. 474 to 482, House Concurrent Resolution Nos. 81 to 87 and Standing Committee Report Nos. 435 to 437 and 439 to 464 have been printed and distributed.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted.

Representatives Aki and Garcia, for the Committees on Youth and Elderly Affairs and Judiciary, presented a joint report (Stand. Com. Rep. No. 439) recommending that H.R. No.

212, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committees was adopted and H.R. No. 212, HD 1, entitled: "HOUSE RESOLUTION REQUESTING DEVELOPMENT OF FURTHER DEFINITIONS OF CHILD ABUSE AND NEGLECT", was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 440) recommending that H.R. No. 378 be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.R. No. 378, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING ADDITIONAL COMMUNITY DAY CARE CENTERS FOR THE ELDERLY", was referred to the Committee on Finance.

#### INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 483) congratulating Danilo Ponce for his exceptional work on behalf of Hawaii's gifted children was jointly offered by Representatives Naito, Abercrombie, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Fong, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunitamura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada and Yuen and was read by the Clerk.

On motion by Representative Naito, seconded by Representative Toguchi and carried, H.R. No. 483 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 484 to 489) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 10, 1977:

A resolution (H.R. No. 484) requesting improvements in school health services was jointly offered by Representatives Peters, Mizuguchi and Segawa.

A resolution (H.R. No. 485) directing the Department of Education to seek legal redress in damages from the parents of children who vandalize or otherwise cause property damage to public school facilities was jointly offered by Representatives Peters, Kiyabu and Mizuguchi.

A resolution (H.R. No. 486) requesting the Department of Education to require all students to pass a reading proficiency test prior to graduation was jointly offered by Representatives Peters, Aki and Mizuguchi.

A resolution (H.R. No. 487) requesting review of proposed amendments to rules and regulations of the Department of Hawaiian Home Lands was jointly offered by Representatives Peters, Aki and Kawakami.

A resolution (H.R. No. 488) encouraging support of vocational education in the schools was jointly offered by Representatives Peters, Aki, Carroll, Cayetano, Garcia, Inaba, Larsen, Lunasco, Mizuguchi, Suwa, Uechi, Ushijima and Yuen.

A resolution (H.R. No. 489) concerning counselors was jointly offered by Representatives Peters and Aki.

#### SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii 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:

##### H.B. No. 1068:

Representative Kawakami moved that H.B. No. 1068, having been read throughout, pass Third Reading, seconded by Representative Caldito.

Representative Sutton then rose to speak against the bill, stating:

"Mr. Speaker, I think we all remember our childhood story about Robin Hood and poachers, and I think that we recognize that we live with the sea surrounding us and a great many of us do not really intend to violate laws - I have caught lobsters out

of season not knowing when the season was.

I have a group of spear fishermen in Pauoa Valley and they asked me to please bring to your attention the fact that we have this magnificent asset, the sea, that we do do an awful lot of fishing in it; sometimes we make violations unknowingly, not with any intent; therefore, it is appropriate that the judge be the decider of whether or not the individual had a direct intent to be a poacher or whether he had ignorance of the law.

Therefore, I would request that we go back to the ancient Hawaiian times when the whole concept of whether or not there was a poacher was decided by the high chief; here, it would be the judge.

When we tighten these laws up and engage in confiscation, we are taking our greatest pastime in Hawaii, fishing, and turning it into something which is a complicated legal mass of rules and regulations that do not fit appropriately in Hawaii.

I will bring your attention, Mr. Speaker, of the states of California and Washington that repealed and changed their laws on trout fishing and tried to encourage people to go back because they had been so strict that nobody dared to fish for trout. I think the same is true for spear fishing and other type of fishing.

I would like to see this bill voted down and ask my colleagues to do likewise."

Representative Lunasco, upon being recognized, stated:

"Mr. Speaker, I rise to speak in favor of this bill and, in doing so, my colleague from Nuuanu should know that ignorance of the law doesn't make it right.

What we are doing, presently, by this bill, is changing the word 'may' to 'shall'.

One of our biggest problems with leaving it up to the judge has been that violators have gotten away scott free. And, now, with this present provision, if it is passed, the violators will know what is in store for them when they do violate the law."

The motion to pass H.B. No. 1068, entitled: "A BILL FOR AN ACT RELAT-

ING TO SEIZURE AND FORFEITURE OF FISH AND HUNTING GEAR", on Third Reading was put by the Chair and carried by a vote of 48 ayes to 1 no, with Representative Sutton voting no, and Representatives Peters and D. Yamada being excused.

H.B. No. 833, HD 1:

On motion by Representative Kawakami, seconded by Representative Caldito, H.B. No. 833, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS", passed Third Reading by a vote of 49 ayes, with Representatives Peters and D. Yamada being excused.

H.B. No. 1221:

On motion by Representative Kawakami, seconded by Representative Caldito, H.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO MARINE CONSERVATION", passed Third Reading by a vote of 49 ayes, with Representatives Peters and D. Yamada being excused.

H.B. No. 215, HD 1:

Representative Segawa moved that H.B. No. 215, HD 1, having been read throughout, pass Third Reading, seconded by Representative Takamine.

Representative Kamalii then rose to speak against the bill, stating:

"Mr. Speaker, the several bills relating to prepaid health care that have been coming onto the House floor vary in details and subject matter, but they seem to have one common thread - how to beat the job makers on the head.

Mr. Speaker, prepaid health care is a subject of national concern, and Hawaii's employees have legitimate concerns about the scope and nature of their health care programs. But, Mr. Speaker, there is a distinction between reasonable and unreasonable demands that should be pressed upon employers. We already have, on our statute books, a law that makes it mandatory that any employer hiring even one employee must provide some form of prepaid health care. That may be reasonable to an employee, but I'm not so sure it's reasonable for the employer.

Mr. Speaker, H.B. No. 215, HD 1, goes far beyond that. It would

automatically put any employer out of business if he is 30 days in default of his prepaid health care payments.

Mr. Speaker, this is clearly an unreasonable imposition upon the job makers. First of all, Mr. Speaker, it is possible for employers to stay in business even if they are delinquent in either State or Federal taxes, or both. Appropriate liens are placed on the business, to be sure, but the businesses may continue to operate, until either the State or the Internal Revenue Service is finally convinced that such taxes are not going to get paid.

Mr. Speaker, to close down a business because it is 30 days delinquent in its prepaid health care program is not only unreasonable, it is in direct contradiction to Hawaii's present attempt to induce new businesses to come here, so that we can alleviate our unemployment rate. Just a few days ago, our governor made a speech in Washington saying that although Hawaii was seeking to discourage mainland immigration, it was definitely seeking to attract businesses to come to our State.

Mr. Speaker, Hawaii already enjoys the reputation of being the State most hostile to businesses, and this reputation isn't going to make the Governor's job, or the Legislature's, easier, if we truly seek an expansion of our economic base. H.B. No. 215, Mr. Speaker, is a clear indication to employers everywhere that Hawaii is not only a difficult place in which to do business, but that Hawaii is actually seeking to place unreasonable restrictions against new businesses coming into Hawaii.

Mr. Speaker, I ask the members of this House to join me in defeating this unreasonable and restrictive bill.

Thank you."

Representative Segawa then rose and, upon being recognized, stated:

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

The previous speaker has focused upon the fact that many of our laws are discouraging businesses to relocate or locate in the State of Hawaii. This bill, which is in reference to prepaid health care, adds a provision which will allow the Department

of Labor to have some clout in mandating the laws provided under the prepaid health care.

We have provisions, in the present laws, which provide for penalties to be imposed upon employers who do not comply with this law, inasmuch as every employer is, by law, mandated to carry minimum prepaid health insurance, according to our laws.

This bill provides that an employer who fails to initiate compliance with the coverage requirements of Section 3911 for a period of 30 days, may be enjoined by the Circuit Court of the Circuit in its principle place of business. In other words, an employer, after being warned, and after perhaps being fined, and after being again talked to and advised about the laws, as long as he initiates compliance, this does not mean that his business will be closed.

And, so, I ask all the members of this body to vote aye on this bill."

Representative Cayetano then rose and asked:

"Mr. Speaker, I think I am an employer who may be covered by this bill and I ask for a ruling of conflict."

The Chair ruled "no conflict".

Representative Sutton then rose to speak against the bill, stating:

"Mr. Speaker, we have the highest unemployment rate of almost any state in the nation - on the Island of Hawaii, it is the highest.

Small business is scared to operate, Mr. Speaker. If a small business puts John Jones on the payroll, and is going to pay him one dollar, the additional cost, beyond just the one dollar, amounts to 59¢; and, therefore, he has to look at his ledger sheet and add almost 60% additional for the cost of putting one employee on the roll.

Now, we come along and say, all right, Mr. Small Businessman - I say this because it is directed to the small businessman that might be too busy with his inventory, too busy doing something that preoccupied him - who would allow the 30 days to go by without being alerted. A large business would have a staff, but the small businessman is a jack of all trades and he is not alerted. And when a small businessman goes out of business, we are talking about the largest employers in Hawaii, because

there are 22,000 small businesses; this is how positions are created and how jobs are made; and then for us to put a measure which, even though the Chairman of the Health Committee has made a very sound argument that these will not go into effect if the man complies within the 30 days, the fact does remain that 30 days does go by very, very fast for somebody who is preoccupied - he might be in California getting inventory; on a trip and come back and find he had a violation. This does not require any serving of process; this man is in violation - 30 days - and his business is shut down."

Rising on a point of order, Representative Segawa stated:

"The speaker alludes that this law will come into effect . . . ."

Representative Kamalii rose on a point of order and stated:

"I didn't hear the speaker's point of order, he's debating."

Representative Segawa then remarked:

"I'm not debating."

The Chair then stated:

"He's not debating, Representative Kamalii."

Representative Segawa then continued, stating:

"I'm trying to bring attention to this body that the speaker states that this bill will bring a person to court if he fails to comply with the provision in 30 days if an employer fails to initiate compliance."

Representative Ajifu, on a point of order, stated:

"Mr. Speaker, I think the speaker is really raising a rebuttal of some statements made by the earlier speaker."

I think a point of order should be restricted to any infraction of rules and I really don't see any infraction of the rules by the earlier speaker when the point of order was raised.

The present speaker is really rebutting some of the statements that were made and I think he should be ruled out of order."

The Chair then stated:

"I believe the person who has the floor, rising on a point of order, is stating that the present speaker is misstating the bill. Representative Sutton, proceed."

Representative Sutton proceeded, stating:

"May I state, Mr. Speaker, that what we find here is the very antithesis of what the chairman of your Finance Committee has been attempting to do, and whom I believe is the oldest and wisest of any of us here. He's trying to increase employment in Hawaii and to try to stimulate the economy; everything he does is directed in that direction; this is his constant philosophy and theme."

Then all of a sudden we see something that says, Mr. Small Businessman, here's your sword of Damocles hanging over your head and you're gonna be put out of business if you do not comply; and he is not intentionally not trying to comply, he just was doing so many other things; he wasn't even negligent, he was just doing so many other things."

We have 22,000 people that have a DBA, doing business as, or small partnerships, or very small capitalization; and these are the ones that are being hit."

We find ourselves in a very awkward position because we are taking, here, Mr. Speaker, two very inconsistent positions - we want to get these people employed and to make it so that Hawaii is the land of aloha, not the land of lack of jobs."

Thank you very much, sir."

Representative Suwa then rose to speak in favor of the bill, stating:

"Personally, Mr. Speaker, when this bill was first introduced, I was against it; especially the closing of a business when unemployment is our problem."

But it's no excuse for an employer to be in a way that he be charged with the offense of negligence of the law because he has 30 days to put in motion to comply, during which the business will not be closed."

Therefore, at this time, I will support the measure."

Thank you."

Representative Lunasco rose to speak in favor of the bill, stating:

"Several years ago, when we passed the prepaid health plan, numerous arguments pro and con on behalf of the employer and employees were discussed at that time. The fact still remains, Mr. Speaker, that this bill is targeted for the people who are not covered by the collective bargaining law and I see no rhyme or reason why employers, presently covered by the law, are not furnishing prepaid health care to those that are well deserving of the prepaid health plan.

For that reason, Mr. Speaker, I ask all my colleagues to vote in favor of this bill."

Representative Carroll, speaking against the bill, stated:

"Mr. Speaker, certainly the intent in the comments that have been made in favor of the bill, there can be no quarrel with. But, as usual, on the floor of the House, when we want to push something through like this, we obviate the issue - and the issue here is the type of relief that is being granted by this particular measure.

The injunctive relief which is set forth here is the most harsh legal remedy available to an individual or to the State and, I think, in this case, the penalties are already set forth here at the amounts as noted on page 1 of this bill. If we seek to penalize the small businessman or any businessman who is not willing to provide this particular prepaid health premium for the benefit of his employees, then let us go after it in a sensible way. What we are doing here is creating the most punitive type of punishment for the businessman. And, as has been indicated earlier, we are going to cut right at the very base for not only the source of livelihood of the businessman but the people that are working for him.

I think that if this measure were amended to put in some, what would amount to, punitive fines that could be imposed against the businessman, we would catch his attention in that way and we could follow it through legal due process rather than going through the horrendous, almost inquisitorial, type of a remedy.

For that reason, I ask everyone to vote against this measure."

Representative Segawa, upon being recognized, stated:

"I would like to respond to the statement that we are trying to discourage business.

Again, I would like to state that the Department has testified that they take all steps to encourage the employers to abide by the law. And if these employers, who are very small in numbers, do not comply with the law, I'm afraid as to what other laws that they do not comply with.

Under these circumstances, I believe that the prepaid health care law has already been acclaimed by all, that this is the best bill that we've had in a long time. We've found that the Western States are very anxious to follow suit as to how Hawaii has come about with pretty much a national health care program.

I would like to tell this body that the Department is not out to get the employers, but merely to get them to comply with the law and to provide these coverages to their employees."

Representative Takamine, speaking in favor of the bill, stated:

"I would just like to comment that this bill has been amended in taking the recommendations of the spokesmen of the Small Businessman's Association."

Representative Kunimura, speaking in favor of the bill, stated:

"I would like to clear some of the cloud cast in the path of this bill. It seems like some of the statements made against this bill, trying to cloud the issue, that small business is going to be closed down immediately; and seems like this bill would make it mandatory - but it's not so, Mr. Speaker. The amendment reads that the Judge may, and the Attorney General of the County prosecuting staff must initiate injunctive action.

You understand, Mr. Speaker, going to the courts, if a person is in California and was not able to comply, the judge will look at all these extenuating circumstances. But, I say one thing, nobody in this State should be in business if he is not going to follow the law; otherwise, we may as well have all the underworld non-compliance and they should not be prosecuted also.

We have laws - in this State, especially, is a state of laws and not of man - and we have some unscrupulous businessmen who always try to figure out how to get around the law, and the best method I've seen yet is some of these punitive actions. If they really want

to flagrantly violate the law, then they should be hauled into court and either they comply or be put out of business, because outlaws make the worst businessmen."

Representative Larsen, upon being recognized, stated:

"I was not aware that this bill was coming before us today, but on reading it over several times, I am speaking very reluctantly in support of this measure and I want to add some comments on what I think about it. May I proceed?"

Upon being directed to "proceed" by the Chair, Representative Larsen stated:

"The penalties now in the books state that this businessman, who is not complying, can be fined \$25.00 to not more than \$200.00. Now, I don't understand why that penalty that's on the books is not adequate to straighten out any businessmen who are not complying with the law.

Now we are adding a whole new plank here to beat him over the head with and saying that if he doesn't comply, we are going to enjoin him. What in the world is the penalty on the books for if somebody isn't applying the present law? We are again adding one more plank against the small businessman. He has adequate penalties right now and I think it is a question of enforcement rather than one of whether he is being penalized strong enough if he doesn't comply. This is a type of thing that gives the State a negative business attitude. When penalties are already there, why do we have to go on and add one more plank to it?

On thinking this over, Mr. Speaker, I am not able to vote for this measure.

Thank you."

Representative Sutton then rose on rebuttal, stating:

"Mr. Speaker, I would like to reinforce what we have just heard from the gentleman from Waialae-Kahala who, incidentally, is a business consultant.

"We've heard testimony given by the head of our Labor Committee to the effect that the Small Businessman's Association had testified in favor of this bill. The Small Businessman's

Association that he referred to, comprises about 11% to 12% of all the various DBAs, corporations, limited partnerships, and partnerships that are doing business as - the small businessman has not really had a chance to be heard, sir - if that small businessman who will go in and pick up the unemployed, put them on the payroll, give them a dignified way of making a living, and give them an opportunity for the self respect that comes from one thing in the world, and that is having a job - when you look at the unemployment figures of the neighbor islands, I am somewhat disturbed to have a gentleman from the Island of Kauai taking such a strong stand when that island has a very severe unemployment situation; also, the head of the Labor Committee comes from an island where there's very high unemployment.

The thesis that you gave, Mr. Speaker, in your inaugural address to this body was to the effect that, let's solve the unemployment problem. You don't solve the unemployment problem by putting pistols, daggers and all sorts of huge penalties of going out of business into the hands of somebody who is enforcing this thing from the point of view of obstruction of justice.

The permissive word 'may' does not mean permissive. Obstruction of justice would occur if he did not follow this through. We have seen it in our own party in Watergate, that obstruction of justice does not pay. Well, we've also seen that the word 'may' may be used with mandating concepts; therefore, that 30 days means 30 days and injunctive procedure means injunctive procedure, and the small businessman is put in a terribly awkward position.

Thank you."

Representative Say then rose and, upon being recognized, stated:

"I would like to speak in favor of this bill and I hope that each and everyone of you here realizes that this bill isn't for the employer himself or herself, but for the employees. I believe that this bill represents health care for these employees who are not with any type of medical or dental program.

I think there are a lot of businessmen in here who are also attorneys, and it's very rough to be the low man on the totem pole, like a busboy, dishwasher, and things like that, so I believe that the Health Committee Chairman and the Labor Committee Chairman have done a great deal with this bill - we

have taken everything into consideration, plus the employer."

Representative Carroll then rose in rebuttal, stating:

"Mr. Speaker, I think that there is no question that everyone here is in favor of the prepaid health care act. I think most of us, in voting for it-- and the question of providing this very valuable assistance to the employees is not the question here. The question here today, Mr. Speaker, is the form of this relief and, I think, to muddy the water by talking about the benefits that are not going to be gotten by the particular employees of the recalcitrant or reluctant or defaulting employers is simply to avoid the question.

If the employer has a high enough fine imposed by law, which is within our ability to do, then we should do that. And if an individual employee became ill, and by his illness creates a debt to hospitals or to doctors, then we can make the employer responsible for that rather than responsible for the amount of the premium. But, to allow injunctive relief, the harshest relief that we have in our civil juris prudence, is simply to attack a flea with a shot gun. And for that reason, I ask everyone to vote no on this measure, again."

Representative Narvaes, speaking against the bill, stated:

"Mr. Speaker, for the sake of less government regulation, I urge all members of this House to vote no."

Representative Kunimura then rose to "rebut the statement made about the high unemployment situation on Kauai", stating:

"If we were to follow the logic made by the gentleman from Nuuanu, then maybe we ought to pass a resolution requesting the Police Department not to raid the chicken fights and the crap games because most of the unemployed go there and sell their wares and services, and let them all have a nice illegal picnic, but close your eyes.

Now, let us understand one thing, if we feel and we believe prepaid medical is a good thing, then we have got to have everybody complying, because the non-compliance, or the group of people who are not complying, will add the cost for

those who are complying; and for those who must work for these outlaws, they are going to be losing the benefit of medical care.

Now, let us put all these things on the scale and I'm pretty sure this bill is going to weigh on the good side.

Thank you."

Representative Cobb then rose and, upon being recognized, stated:

"It finally happened that I am going to take an opposite position from my distinguished colleague from Kauai, but I would like to make one observation against the bill, and that is that all of the participants, all of the vendors, all of those present in a cockfight or chicken fight, are not covered by prepaid health insurance - least of all, the chickens."

The motion to pass H.B. No. 215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", on Third Reading was put by the Chair and carried by a vote of 39 ayes to 12 noes, with Representatives Ajifu, Carroll, Cobb, Evans, Fong, Ikeda, Kamalii, Larsen, Medeiros, Narvaes, Poepoe and Sutton voting no.

H.B. No. 599, HD 1:

On motion by Representative Segawa, seconded by Representative Takamine, H.B. No. 599, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Ajifu, Evans and Ikeda voting no.

H.B. No. 199:

Representative Blair moved that H.B. No. 199, having been read through-out, pass Third Reading, seconded by Representative Larsen.

At this time, Representative Ajifu, upon being recognized, stated:

"Mr. Speaker, basically, I think the bill is heading in the right direction, but I do have some reservations and I would like to express these reservations and my opposition to this bill.

This bill gives broad powers to impose civil fines of up to \$10,000 per day for any violation of this chapter. It also gives the director the power to impose such penalties by his adminis-

trative order. He is to be guided only by the nature and history of the violation. The bill also provides for, where in a court proceeding the director need not justify the imposition of the fine, and I would just like to quote the bill, on page 9: 'In any judicial proceeding to recover the civil penalty imposed, the director need only show that notice was given, a hearing was held or the time granted for requesting a hearing has run without such a request, the civil penalty was imposed, and that the penalty remains unpaid.' I believe the director should be required to establish uniform standards for imposition of fines.

The other point that I would like to raise is that the director is required to prove that the violation and the justification for the chosen fine should be stated in the bill. I also feel that there may be some constitutional question with regard to section 342, under the Administrative Penalties Titles, in this bill."

The motion to pass H.B. No. 199, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", on Third Reading was put by the Chair and carried by a vote of 49 ayes to 2 noes, with Representatives Ajifu and Evans voting no.

H.B. No. 995:

Representative Kiyabu moved that H.B. No. 995, having been read throughout, pass Third Reading, seconded by Representative Mina.

At this time, Representative Kamalii rose to speak against the bill, stating:

"Mr. Speaker, I am in full accord that all public and quasi-public buildings under county authority should be landscaped, with adequate open space surrounding such structures. I am also in full accord that minimum requirements of landscaping or open space should be established.

However, Mr. Speaker, I do not see the necessity or purpose of having the Department of Planning and Economic Development of the State reviewing county ordinances pertaining to landscaping and open space of county buildings.

Mr. Speaker, it is only my opinion, but when I compare what the various counties have done in the matter of landscaping and open space with what the State has done, I think

the State should be asking the counties to evaluate the State's landscaping and, furthermore, Mr. Speaker, it was my understanding that Hawaii once believed passionately in the concept of county 'home rule'. This philosophy was based on the idea that the government units closest to the people should have maximum say about how government was operated. H.B. No. 995 is about as far removed from this concept and philosophy as we can get.

The next step, Mr. Speaker, will be for the State to tell the counties what kinds of flowers can be planted around county buildings, and how high the shrubs, bushes, and trees can grow. Eventually, Mr. Speaker, the State will be passing bills authorizing and mandating State architectural designs for county buildings.

Mr. Speaker, H.B. No. 995 is not only an unnecessary infringement of the State upon the county powers, but it is an insult to the counties and the people who reside therein. I therefore ask my fellow colleagues to vote no on this measure."

The motion to pass H.B. No. 995, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ORGANIZATION AND ADMINISTRATION", on Third Reading was put by the Chair and carried by a roll call vote of 43 ayes to 8 noes, with Representatives Ajifu, Carroll, Evans, Ikeda, Kamalii, Morioka, Narvaes and Sutton voting no.

H.B. No. 176, HD 1:

On motion by Representative Uechi, seconded by Representative Inaba, H.B. No. 176, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE", passed Third Reading by a vote of 51 ayes.

H.B. No. 49, HD 1:

On motion by Representative D. Yamada, seconded by Representative Cobb, H.B. No. 49, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF VARIOUS BOARDS AND COMMISSIONS IN THE DEPARTMENT OF REGULATORY AGENCIES", passed Third Reading by a vote of 51 ayes.

H.B. No. 929, HD 1:

On motion by Representative D. Yamada, seconded by Representative Cobb, H.B. No. 929, HD 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG AND COSMETIC ACT", passed Third Reading by a vote of 51 ayes.

H.B. No. 6, HD 1:

Representative Suwa moved that H.B. No. 6, HD 1, having been read throughout, pass Third Reading, seconded by Representative Peters.

Representative Narvaes, upon being recognized, stated:

"I rise to speak in favor of H.B. No. 6, but with some reservations.

Mr. Speaker, this bill will provide \$5,000,000 to the Department of Accounting and General Services for the repair and maintenance and renovation of public facilities.

Mr. Speaker, this bill also provides that prior to expending any appropriation that DAGS shall consult with the Department of Labor and Industrial Relations for the purpose of determining appropriate projects that will help alleviate the public situation.

Mr. Speaker, although I go along with the intent of H.B. No. 6, one of my reservations is brought about by a situation that happened in my district. Mr. Speaker, DAGS, last year, with the intent of keeping and maintaining in good condition an old building in my district, had this building painted. Mr. Speaker, what I find hard to believe is that two months later they had the building torn down. Mr. Speaker, the taxpayer doesn't want his tax money wasted in such a manner.

So, Mr. Speaker, if this \$5,000,000 would not be wasted in such a light manner, I urge all members to vote aye."

The motion to pass H.B. No. 6, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE REPAIR AND MAINTENANCE OF PUBLIC FACILITIES AND MAKING APPROPRIATIONS THEREFOR", on Third Reading was put by the Chair and carried by a vote of 51 ayes.

H.B. No. 181, HD 1:

Representative Uechi moved that H.B. No. 181, HD 1, having been read throughout, pass Third Reading, seconded by Representative Inaba.

Representative Abercrombie,

speaking in favor of the bill, stated:

"Mr. Speaker, I've been instructed by certain residents on my property, under pain, and I mean literally under pain, that if I didn't thank the Chairman of the Agriculture Committee for his attention to this bill. . . . I want to indicate that bees all over the island are celebrating today as a result of the potential passage of this bill and I urge, for my own safety and for the safety of the Agriculture chairman, that it be passed."

The motion to pass H.B. No. 181, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII BEE DISEASE ACT", on Third Reading was put by the Chair and carried by a vote of 49 ayes to 2 noes, with Representatives Ajifu and Sutton voting no.

The Chair directed the Clerk to note that H.B. Nos. 1068, 833 and 1221 had passed Third Reading at 11:34 o'clock a.m.; H.B. No. 215 at 12:01 o'clock p.m.; H.B. No. 599 at 12:02 o'clock p.m.; H.B. No. 199 at 12:05 o'clock p.m.; H.B. Nos. 995, 176 and 49 at 12:10 o'clock p.m.; H.B. No. 929 at 12:11 o'clock p.m.; H.B. No. 6 at 12:13 o'clock p.m.; and H.B. No. 181 at 12:14 o'clock p.m.

#### DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 416 (H.B. No. 14, HD 1):

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 14, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFERS FROM AIRPORT REVENUE FUND", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Ajifu voting no.

Stand. Com. Rep. No. 417 (H.B. No. 11, HD 2):

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 11, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 14, HD 1, had passed Third Reading at 12:14 o'clock p.m. and H.B. No. 11, HD 2, at 12:15 o'clock p.m.

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 12:20 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 441) recommending that H.B. No. 1060 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Inaba, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS AND AMENDING CHAPTER 155, HAWAII REVISED STATUTES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 442) recommending that H.B. No. 1058 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Inaba, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.B. No. 1058, entitled: "A BILL FOR AN ACT REPEALING CHAPTER 156, HAWAII REVISED STATUTES, RELATING TO THE FARM ADVISORY BOARD", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 443) recommending that H.B. No. 1247 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Inaba, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.B. No. 1247, entitled: "A BILL FOR AN ACT RELAT-

ING TO MILK CONTROL", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

At 12:22 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:23 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. 444) recommending that H.B. No. 1083, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative Yuen and carried, the report of the majority of the Committee was adopted and H.B. No. 1083, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION OF ANIMALS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977, with Representatives Abercrombie, Ajifu, Blair, Cayetano, Cobb, Dods, Evans, Kamalii, Larsen, Nakamura, Narvaes, Sutton and Toguchi voting no.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 445) recommending that H.B. No. 1066 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 1066, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 446) recommending that H.B. No. 645, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 645, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Second Reading and was placed

on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 447) recommending that H.B. No. 777 pass Second Reading and be placed on the calendar for Third Reading.

Representative Garcia moved that the report of the Committee be adopted and that H.B. No. 777 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative K. Yamada.

Representative Abercrombie then rose to speak against the passage of the report, stating:

"Mr. Speaker, I shall elaborate further, tomorrow, but I would like, today, in registering my no vote, to ask the members to please consider reading Section 841-3 of the Hawaii Revised Statutes, on the reporting of death.

I think there are very serious implications of freedom of religion that are involved in this bill and I shall try to address myself in the caucus and on the floor tomorrow.

I hope that the constitutional questions that I think are involved in this will be taken into consideration by the members.

Thank you."

Representative Carroll then asked:

"I would like to ask for a ruling on conflict inasmuch as I represented the group that this bill is directed against."

The Chair ruled: "No conflict."

The motion was put by the and carried and the report of the Committee was adopted and H.B. No. 777, entitled: "A BILL FOR AN ACT TO AMEND SECTION 8413 HAWAII REVISED STATUTES, RELATING TO THE REPORTING OF DEATHS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977, with Representatives Abercrombie, Carroll, Narvaes and Sutton voting no.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 448) recommending that H.B. No. 780, as amended in HD 1, pass Second

Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 780, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 449) recommending that H.B. No. 805, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 805, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARENTAGE ACT", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 450) recommending that H.B. No. 253, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 253, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PROBATION AND SUSPENDED SENTENCES UNDER THE HAWAII PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Garcia, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 451) recommending that H.B. No. 269 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the majority of the Committee was adopted and H.B. No. 269, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION", passed Second Reading and was placed on the calendar

for Third Reading tomorrow, March 10, 1977, with Representatives Blair, Cobb, Kiyabu and Sutton voting no.

At 12:25 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:30 o'clock p.m.

#### SUSPENSION OF RULES

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

#### STANDING COMMITTEE REPORTS

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 452) recommending that H.B. No. 776 pass Second Reading and be placed on the calendar for Third Reading.

Representative Garcia moved that the report of the Committee be adopted and that H.B. No. 776 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative K. Yamada.

Representative Abercrombie then rose to speak against the report, stating:

"Mr. Speaker, I wish to call the members' attention, again, to Section 841, subsection 12, Hawaii Revised Statutes. I believe we have the same difficulty, and in casting my no vote, I want to urge the members to read that section and consider not only the constitutional issue involved, but, as the Committee Report indicates here, that there is the possibility for courts to move in this area concerns the removal of bodies. There are very serious considerations, I say again, of constitutional issues of whether or not we may be placing people in criminal jeopardy because of their religious beliefs.

So, please, I ask the members to consider, if this bill should pass on to Third Reading."

Representative Carroll then rose to speak against the report, stating:

"I would just like to say that in terms of the statute which already exists, there is adequate remedy for the city and counties who wish to seek punitive measures in this area. It's just that they have to figure it out for themselves by reading their own laws that already exist on the books. I don't think it is our job to help the city prosecutors and the corporation counsels. For that reason, as well as some of the other overriding constitutional problems that may arise from the enactment of this bill, I would urge that we vote no."

Representative Garcia then rose and stated:

"Mr. Speaker, I'll make my comments tomorrow when we vote on it for Third Reading."

The motion was put by the Chair and carried and the report of the Committee was adopted and H.B. No. 776, entitled: "A BILL FOR AN ACT TO AMEND SECTION 841-12 HAWAII REVISED STATUTES RELATING TO THE REMOVAL OF BODIES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977, with Representatives Abercrombie, Carroll and Sutton voting no.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 453) recommending that H.B. No. 778, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 778, HD 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 188-25 (e) HAWAII REVISED STATUTES, RELATING TO SPEAR FISHING", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977, with Representative Sutton voting no.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 1060; 1058; 1247; 1083, HD 1; 1066; 645, HD 1; 777; 780, HD 1; 805, HD 1; 253, HD 1; 269; 776; and 778, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 454) recommending that H.B. No. 182, HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 454 on H.B. No. 182, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PESTICIDES LAW", was deferred until tomorrow, March 10, 1977, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 182, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 455) recommending that H.B. No. 730, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE OF HAWAII IN CRIMINAL PROCEEDINGS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

The Chair directed the Clerk to note that printed copies of H.B. No. 730, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representatives Naito and Garcia, for the Committees on Corrections and Rehabilitation and Judiciary, presented a report (Stand. Com. Rep. No. 456) recommending that H.B. No. 533 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Naito, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 533, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977, with Representative Cayetano voting no.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 457) recommending that H.B. No. 206, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Shito

and carried, the report of the Committee was adopted and H.B. No. 206, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A STATEWIDE EMERGENCY MEDICAL SERVICES PROGRAM", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 458) recommending that H.B. No. 1069, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 1069, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISH AND GAME PENALTIES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977, with Representative Sutton voting no.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 459) recommending that H.B. No. 515, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.B. No. 515, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPEARED FISH", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Baker, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 460) recommending that H.B. No. 879, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Baker, seconded by Representative Ushijima and carried, the report of the Committee was adopted and H.B. No. 879, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 461) recommending that H.B. No. 309, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Toguchi, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF CORAL", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 462) recommending that H.B. No. 245, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 245, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 463) recommending that H.B. No. 999, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.B. No. 999, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS AND RULES OF THE ROAD", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 464) recommending that H.B. No. 998, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Cayetano, seconded by Representative Takamura

and carried, the report of the Committee was adopted and H.B. No. 998, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIKEWAYS AND THE OPERATION OF BICYCLES", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 533; 206, HD 1; 1069, HD 1; 515, HD 1; 879, HD 1; 309, HD 1; 245, HD 1; 999, HD 1; and 998, HD 1, were made available to the members of the House at 12:00 o'clock noon.

#### COMMITTEE REASSIGNMENT

The Chair, at this time, re-referred H.B. No. 1607 to the Committee on Public Employment and Government Operations.

At 12:40 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives stood in recess until 6:00 o'clock p.m. this evening.

#### EVENING SESSION

The House of Representatives reconvened at 6:21 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 465) recommending that H.B. No. 1305 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative K. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 1305, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE OF SEXUAL CONDUCT", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 466) recommending that H.B. No. 1105, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Shito

and carried, the report of the Committee was adopted and H.B. No. 1105, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 467) recommending that H.B. No. 772 pass Second Reading and be placed on the calendar for Third Reading.

Representative K. Yamada moved that the report of the Committee be adopted and that H.B. No. 772 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Cobb.

Representative Sutton then rose to speak against the bill, stating:

"Mr. Speaker, we have before us here the proposition that a customer as well as the prostitute is subject to arrest for the offense of prostitution.

Mr. Speaker, you and I have always known . . . . Sir, I was interrupted in the middle and I took it out of context."

The Chair remarked:

"It's only on certain times and things I prefer being placed in the same category with you, but this is not the one."

Representative Sutton then stated:

"You're very tolerant.

We are in, what we refer to as, the second oldest profession. We are now addressing our minds to the oldest profession.

Mr. Speaker, the basic concept is that we cannot reverse a thousand years of history; we cannot reverse a basic concept that has happened throughout the years by writing one law. All we are doing is making this particular statute almost unenforceable.

Now, I could give you examples of customers that went down to our River Street; the names of those people would utterly startle you. I will be very frank with you, that I took one of the greatest naval heroes of all times to River Street, and this is Admiral of the Fleet,

Halsey. And when we were at River Street, we were greeted by a man who later became governor. Now, this gentleman had been at sea for almost four months. . ."

Representative Kamalii then interrupted, asking:

"Mr. Speaker, may we have a short recess, please?"

The Chair answered:

"Recess is disallowed at this time, Representative Kamalii."

Representative Sutton then stated:

"I can see that our arguments are a little too telling, but what I am trying to say is that we will have an enforcement problem on this; and when you have enforcement problems, you have the sort of situation that you had in prohibition.

The late Senator Volstead put the Volstead Act on the books. When we had the Volstead Act on the books, he had something that sounded very fine and the Saloon League felt that prohibition was an excellent thing, but it brought about the greatest disregard of law that we have ever had in this country. Speakeasy - growing up, it became the fad to go into speakeasies.

People were getting okolehao from the island of Hawaii and bringing it down here, and we had nothing but a disregard for the law because of prohibition.

Put a statute of this nature on the books, where you arrest the customer, and you find yourself in the same exact same position because you are trying to reverse, in ten minutes, one thousand years of history.

I would, therefore, ask my colleagues to vote against this particular bill."

Representative Stanley then rose to speak in favor of the bill, stating:

"I think that oftentimes, as members of this House, we get tired and happy about very serious subjects. I think that the previous speaker's mentioning of reversing history in ten minutes is not well-founded, that this law reflects changing values and mores that support the integrity and rights of many of the people and many of our citizens.

I urge all of my colleagues, in seriousness, to vote for this bill."

The motion was put by the Chair and carried and the report of the Committee was adopted and H.B. No. 772, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977, with Representatives Larsen and Sutton voting no.

At 6:27 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:28 o'clock p.m.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 468) recommending that H.B. No. 555, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative K. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 555, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ORGANIZATION AND ADMINISTRATION", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

At this time, the Chair stated:

"Before going on to page 2, the Chair would like to inform all members that when he or she speaks on a bill on Second Reading, that the same individual who wishes to speak for or against the same bill on Third Reading, should rise and argue on new points of argument, but not on the same point of argument. Is that understood?"

Representative Cayetano, on a point of information, asked:

"Are you saying that if we speak on a bill for or against on Second Reading that when the bill comes up for Third Reading we should address ourselves to different points?"

The Chair answered:

"That is correct. The reason for that is that, otherwise, the bill hasn't been amended; it's in the same form that is going to pass on Third Reading, and if the individual repeats the same argument, it's superfluous and redundant; it's inserted into the Journal. And, so, the person, if he or she wishes

to argue the bill, should consider that proposition; otherwise, we are going to have the same redundant arguments on two instances, and are really superfluous."

Representative Cayetano then stated:

"I would like to voice my disagreement with that interpretation of that because, first of all, what it does is impose a form of censorship on each representative here. I think if we have the opportunity to speak, and the rules allow us ten minutes, we should be allowed to say what we want on the particular bill, as long as it pertains to the particular bill. I would take that as a form of censorship from the Chair."

The Chair replied:

"It's not a form of censorship. The Chair would like to state, at this point, the reason I've asked the individuals to consider that is because there have been questions as to what extent of argument should be allowed on passage of Second Reading.

The question has been raised to me on many occasions and I've thought about it and I've allowed the individuals to speak on the merits of the bill on Second Reading, although there is argument on the question of whether the argument should be confined to the passage on Second Reading and to be placed on the calendar for Third Reading, rather than the merits. But in order to argue that point, I believe that some merit of the bill should be argued to be placed on the calendar for Third Reading."

Representative Cayetano then stated:

"On this very point, then, I suppose when and if the Chair decides to impose or enforce its ruling, I will bring the matter to the proper body."

At 6:32 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 7:00 o'clock p.m., Representative Kunimura stated:

"Mr. Speaker, maybe there ought to be a motion to expunge from the record what you were really thinking about but made that very unconscionable statement that we expunge from the record, and if you will truly and really expound what you were really thinking about. Would that be in order?"

The Chair replied:

"That is not in order. The Chair, upon checking with the Journal Clerk, feels very comfortable with what he had said, and I think all of you got excited because not very many were paying attention to what I had stated.

The Journal reflects this: 'the Chair would like to inform all members that when he or she speaks on a bill on Second Reading, that the same individual who wishes to speak for or against the same bill on Third Reading, should rise and argue on new points of argument, but not on the same point of argument.'

Representative Ajifu, upon being recognized, stated:

"Mr. Speaker, for the records, we checked the tape and we found it to be true."

The Chair then stated:

"Representative Kunimura, are you satisfied?"

Representative Kunimura replied:

"Yes, your honor. I know you've been practicing for quite a while now and I hope very sincerely that you will be wearing a black robe in the near future."

The Chair responded by saying:

"Thank you for your confidence."

Representative Cayetano then rose and stated:

"I see that your remarks were misconstrued, but I think it was the look on your face that did it."

The Chair then stated:

"Can we proceed, with the understanding that all of us are here to meet certain deadlines - the timetable is March 15, that's Tuesday, for the passage of House Bills, and that all of us here would try to extend courtesies to one another in trying to argue the merits of the bills on Third Reading."

Representative Takamine, for the majority of the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 469) recommending that H.B. No. 135, as amended in HD 1, pass Second Reading and

be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the majority of the Committee was adopted and H.B. No. 135, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977, with Representatives Ajifu, Blair, Carroll, Cobb, Dods, Evans, Larsen, Narvaes, Say, Sutton and Uwaine voting no.

Representative Naito, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 470) recommending that H.B. No. 64, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Ueoka, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.B. No. 64, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE CORRECTIONS", passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 10, 1977.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 1305; 1105, HD 1; 772; 555, HD 1; 135, HD 1; and 64, HD 1, were made available to the members of the House at 6:15 o'clock p.m.

At this time, Representative Kunimura introduced Mr. and Mrs. Gene Kaneshiro of the Top of the Boulevard Restaurant.

The Chair then made the following announcement:

"The Chair would like to inform this body that tomorrow's calendar, for Third Reading, will have approximately twenty-three bills."

#### ADJOURNMENT

At 7:07 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, Thursday, March 10, 1977.