

SIXTIETH DAY

Friday, April 14, 1978

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 2:20 o'clock p.m., with the Speaker presiding.

The Divine Blessing was invoked by Representative Ted Mina, after which the Roll was called showing all members present with the exception of Representatives Carroll, Ikeda and Inaba, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-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 Fifty-Ninth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 488 to 493) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 488) returning House Concurrent Resolution No. 44, HD 1, which was adopted by the Senate on April 13, 1978, in an amended form, was placed on file.

By unanimous consent, further action was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 489) returning House Concurrent Resolution No. 113 which was adopted by the Senate on April 13, 1978, in an amended form, was placed on file.

By unanimous consent, further action was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 490) returning House Bill No. 64, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE CORRECTIONS", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 491) returning

House Bill No. 599, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 492) returning House Bill No. 645, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 493) returning House Bill No. 1430, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL APPEALS", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

By unanimous consent, further action on H.B. Nos. 64, HD 1; 599, HD 1; 645, HD 1; and 1430 was deferred until later in the calendar.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 30 to 38) were read by the Clerk and were disposed of as follows:

A communication from Carl A. Farden (Misc. Com. No. 30) acknowledging receipt of House Resolution No. 446, honoring the Farden family for its contribution to Island music and art, was placed on file.

A communication from Tosh Ishikawa, Planning Director, Planning Department, County of Maui (Misc. Com. No. 31) acknowledging receipt of House Resolution No. 41, relating to the reduction of housing costs through increased density allowances, was placed on file.

A communication from Carl J. Kent, Vice President and General Manager (Misc. Com. No. 32) acknowledging receipt of House Resolution No. 647, congratulating and recognizing Miss Hawaii and the Miss Hawaii Scholarship Pageant, was placed on file.

A communication from James S. Ushijima, County Clerk, County of Maui (Misc. Com. No. 33) acknowledging receipt of House Resolution No. 41, relating to the reduction of housing costs through increased density allowances, was placed on file.

A communication from the Honorable

Elmer F. Cravalho, Mayor, County of Maui (Misc. Com. No. 34) acknowledging receipt of House Resolution No. 637, recognizing the observance of National Secretaries Week, April 23 to 29, 1978, was placed on file.

A communication from the Honorable Spark Matsunaga, United States Senator (Misc. Com. No. 35) acknowledging receipt of House Resolution No. 123, requesting a moratorium on Federal encroachment upon State waters in the Northwestern Hawaiian Islands, was placed on file.

A communication from Edwin L. Johnson, Deputy Assistant Administrator for Pesticide Programs (Misc. Com. No. 36) acknowledging receipt of House Resolution No. 42, supporting the continued EPA registration of ethylene dibromide (EDB) for use in papaya, pineapple, and other agricultural production, was placed on file.

A communication from the Honorable Walter F. Mondale, Vice President of the United States (Misc. Com. No. 37) acknowledging receipt of House Resolution No. 372, was placed on file.

A communication from the Honorable William S. Richardson, Chief Justice (Misc. Com. No. 38) acknowledging receipt of House Resolution No. 97, relating to restitution of crime victims, was placed on file.

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

Representative Sutton introduced Vernon and Jill Christiansen from Canada, who were seated in the gallery.

Representative Uechi introduced Mr. Roger Ernst, "a man who is here for the purpose of helping, not only Hawaii in diversified agriculture, but internationally. He will be working with the Department of Tropical Agriculture for the next two years and I am sure my Committee members would have many meetings with this particular person as he has experience working with the Marshall Plan, as well as the A.I.D. for the developing countries." Accompanying Mr. Ernst was Mr. Wally Nitta, past President of the Farm Bureau.

SUSPENSION OF RULES

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

for the purpose of considering certain resolutions.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 715 and 720) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 715) honoring and commending Wallace M. Nitta, outgoing President of the Hawaii Farm Bureau Federation, for twelve consecutive years of dedicated and exemplary leadership and expressing the best wishes of the Hawaii State House of Representatives for success in his future endeavors was jointly offered by Representatives Uechi, 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, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Ueoka, Ushijima, Uwayne, D. Yamada, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Uechi, seconded by Representative Yuen and carried, H.R. No. 715 was adopted.

Representative Uechi then rose and stated:

"Mr. Speaker, I am sure if I told Wally that we were going to be adopting a resolution, he would not have come down this afternoon so I didn't say anything about it. He visited my office so I asked him to come down in the gallery to visit with us."

Representative Uechi then presented Mr. Wallace Nitta to the members of the House.

A resolution (H.R. No. 720) expressing the warmest aloha and mahalo of the Hawaii State House of Representatives to Donny and Marie Osmond and honoring and commending Donny and Marie for their exemplary work and deeds was jointly offered by Representatives Peters, Abercrombie, Carroll, Cayetano, Inaba, Kiyabu, Lunasco, Shito, Takamine, Ushijima and Yuen.

On motion by Representative Peters, seconded by Representative Kiyabu and carried, H.R. No. 720 was adopted.

Representative Peters then rose and stated:

"Mr. Speaker, I realize that we don't have the certificates prepared today

so I am sure that we will get them out to the Osmond family via the mail. In any case, we do have a member of the family present on the floor with us today because Donny and Marie, as reflected by the resolution, are quite tied up, and I suspect that Merle is kind of tied up himself, and I appreciate him coming to the floor this afternoon, so if you will, members and Mr. Speaker, give a very warm welcome to a member of the internationally famed Osmond family."

Representative Peters then presented Merle Osmond to the members of the House. Accompanying Merle were Bob Nainoa and Mrs. Evelyn Kelihoomalua.

At this time, the Chair introduced the Honorable George R. Ariyoshi, "an individual who is sitting in the wings. He is a very quiet, determined, industrious and effective leader of our State."

The members of the House and audience then gave Governor Ariyoshi a standing ovation.

At 2:30 o'clock p.m., the Chair declared a recess, subject to the call of the Chair, for the purpose of "extending deep aloha to our honored guests."

Upon reconvening at 2:35 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Carroll, Ikeda and Inaba.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1132-78) recommending that H.R. No. 543, HD 1, be referred to the Committee on Finance.

At this time, Representative Suwa, with all of the members of the Finance Committee concurring, waived the referral of H.R. No. 543, HD 1, to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted, and notwithstanding the report of the Committee, H.R. No. 543, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, IN CONSULTATION WITH THE UNIVERSITY OF HAWAII, TO IMPROVE THE DELIVERY OF NUTRITION EDUCATION PROGRAMS WITHIN THE

PUBLIC SCHOOLS OF HAWAII", was adopted.

Representatives Stanley and Suwa, for the Committees on Public Employment and Government Operations and Finance, presented a joint report (Stand. Com. Rep. No. 1133-78) recommending that S.C.R. No. 114, SD 1, be adopted.

On motion by Representative Stanley, seconded by Representative Suwa and carried, the joint report of the Committees was adopted and S.C.R. No. 114, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO COMPENSATION OF SECRETARIAL CLASSES WITHIN THE STATE CIVIL SERVICE", was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1134-78) recommending that H.R. No. 476, as amended in HD 1, be adopted.

On motion by Representative Say, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.R. No. 476, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A HEARING CONCERNING THE RECENT BAN ORDERED BY THE STATE DEPARTMENT OF AGRICULTURE ON THE SALE OF HOG VISCERA ON OAHU", was adopted, with Representatives Abercrombie, Sutton and Uwayne voting no.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1135-78) recommending that S.C.R. No. 64, as amended in HD 1, be adopted.

Representative Campbell then rose to speak against the resolution, stating:

"Mr. Speaker, the purpose of this concurrent resolution is to advise the United States Senate and the House of Representatives that the State of Hawaii opposes federal legislation on national no-fault insurance and wishes to continue to develop its own no-fault laws to best serve the interest of its citizens.

Now, Mr. Speaker, here are just a few reasons I feel that this House should vote 'no' on this resolution. When we instituted no-fault auto insurance, the people of this State were led to believe that their auto insurance rates would stabilize at a reasonable level and this has not happened. Auto insurance rates have sky-rocketed, and on the basis of this problem, some of us have urged this Legislature to let the State Insurance Commissioner set auto insurance rates.

The second reason I think we ought

to vote 'no' on this resolution is that when no-fault insurance came into being, we were told that the joint underwriting plan would pave the auto insurance rates for our welfare recipients. This has not happened. We are now in the process of studying the feasibility of having the State provide auto insurance for this segment of our population.

So, Mr. Speaker, in light of the fact that no-fault auto insurance in our State has not worked as effectively as anticipated, this, to me, provides a logical and compelling reason for supporting a national motor vehicle no-fault law. Therefore, I urge my colleagues to vote 'no' on this resolution.

Thank you."

Representative D. Yamada then rose to speak in favor of the resolution, stating:

"Mr. Speaker, I would just like to state that the reason for this resolution is two-fold.

First, we have a no-fault insurance policy in this State and, therefore, for the protection of our State rights, we are asking the Federal government not to interfere with our present system, and secondly, if you would cost out the cost of the proposed Federal no-fault insurance policy, it will more than double what is our present cost. Therefore, it seems that the prior speaker's logical solution is illogical."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 64, HD 1, entitled: "SENATE CONCURRENT RESOLUTION OPPOSING ENACTMENT OF A FEDERAL NO-FAULT AUTOMOBILE INSURANCE LAW", was adopted.

Representative Segawa, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1136-78) recommending that S.C.R. No. 98, SD 1, be adopted.

Representative Segawa moved that the report of the majority of the Committee be adopted, seconded by Representative Shito.

Representative Sutton then rose to speak against the concurrent resolution, stating:

"Mr. Speaker, the essence of this is to change the title of the City Health Department. We no longer call it the Health Department for fear of confusion

with the Health Department of the State.

Now, Mr. Speaker, if you don't call it the Health Department, you have to call it the Coroner's Department over in the City Hall, and that is not a very nice name, and health is a word that is generic. It is a word that conveys many, many meanings, and I don't see why a county can't use the name, 'Health Department.'

I fail to understand how the public, in dealing with the ambulance, or dealing with the morgue, or dealing with the various things that the City and County is charged with doing, could find an easier term to look up in the telephone directory than Health Department and I don't see why we need to change it. Now, we are changing it solely on the basis that there might be some confusion. Now, you know that there are 1,690 Jackie Robinson's in the phone book, but nobody has any trouble finding the real Jackie Robinson. He was the great U.C.L.A. star that became a great football star. I say that if the Health Department of our State becomes as well known as Jackie Robinson, they won't have any confusion. This is a good challenge. We are the Health Department of the State of Hawaii. We don't have to have the Legislature differentiate us. I think it is a good challenge for them. So, Mr. Speaker, let us not change the name of that poor City and County that we have picked on so much. Let us continue to call it the Health Department and not the 'Coroner's'.

Thank you."

Representative Abercrombie then rose to speak against the concurrent resolution, stating:

"Mr. Speaker, the only confusion is in the Health Department on the State level. The Department of Health on the State level is a mass of confusion because it probably is the worst administered department in the State which doesn't say a lot for the rest of them either.

I am perfectly content that someone can look up the City and County, or when they dial 911 and ask for an ambulance, the Police Department is capable of sending them there. I think that it is a commentary on the Department of Health that they would acquiesce to such a change. It may be that the City and County delivery service is better than the Department of Health does. My experience with the Department of Health, in some respects, is such that I wouldn't doubt it for a minute."

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

"Mr. Speaker, I would like to clarify a couple of the statements made by the previous speakers concerning this resolution.

At one time, the City and County Department of Health was an appropriate designation wherein they provided various health services to the people of the City and County of Honolulu. Presently, they only provide an ambulance service and a health examination service to the employees. As such, their service is much, much less than you would expect of the connotation of a department.

Furthermore, I believe that the people in the City and County of Honolulu are confused by having designated the City and County Department of Health and the State Department of Health.

Furthermore, it has brought confusion at the Federal level in regards to Federal funding for medical services, and as much as the Federal government many times must differentiate who is the accepting body and dispensing body for monetary funds, they need to determine very clearly as to whether it is a City and County or a State function, and so, your Committee on Health recommends highly that the City strongly consider the change of the title of the City Health Department.

I urge all members to vote for this resolution."

Representative Abercrombie, in rebuttal, stated:

"Mr. Speaker, when the leprosy patients of this State were taken from Hale Mohalu at Pearl City - not moved, but taken - they were taken in an old station wagon. Those who were unable to be carted out. . . they have no ambulance service. The Department of Health is apparently unaware. . ."

The Chair interrupted and stated:

"Representative Abercrombie, the Chair would like to. . . Representative Abercrombie. . ."

Representative Abercrombie asked:

"Are you interrupting me?"

The Chair replied:

"That is correct."

Representative Abercrombie then asked:

"You want to state the grounds?"

The Chair stated:

"The Chair would like to remind you that the resolution merely calls or asks the City to change its name. . ."

Representative Abercrombie interrupted and said:

"That is correct. The only health service available that day was from the City, not from the State Department of Health. A station wagon was utilized to move people. There were people with heart conditions; they had no oxygen available to them; a newspaper was waved in the people's faces who had heart conditions who were hyperventilating. This is what the State Department of Health is capable of.

I think it is very important that in the phone book, under City and County, that you have the word 'Health' so that someone can call and get assistance that they can't get from the State Department of Health at a very time when these individuals were being moved some strapped to stretchers, put into a station wagon without any clamps whatsoever, that had to be called to the attention of the head nurse and of the administrator of the program because he was supervising the moving of furniture - not the moving of patients. It is vital that we have a Health Department in the City and County and that people are able to call there, because maybe, they can get some service. They can't get it from the State Department of Health.

As for the Federal level funding confusion, I don't doubt that for a moment either. That's the reflection of the kind of bureaucrats that we have, both in this State and on the Federal level. If someone wants to tell me that somebody is being paid \$35,000 a year - \$40,000 a year - is incapable of differentiating between the City and County and the State of Hawaii, it seems to me that us asking for a change in name is not going to alleviate that kind of stupidity or indifference on the part of a bureaucracy on the State level or the Federal level.

Medical services. We can get them from the City and County and we can't get any service as citizens from bureaucrats who can't differentiate between the

State and the Federal level. That's the real question here. Instead of pointing out where the real problems are, we accommodate it."

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

"Mr. Speaker, this resolution is only requesting the City to consider to help us, maybe if there are any confusion, but I would like to address my support for this resolution in an area where the Department of Health this morning, in my personal observation, is being blamed for something they are not responsible for.

If the Department of Health on Oahu cannot provide emergency vehicles and services, it is not the Department of Health's fault. The fault lies here in the Legislature because it is our choosing that we make the City and County of Honolulu do it. If we want to correct it, then it has to be corrected during the Legislature.

If I may, Mr. Speaker, deviate a little, I feel that maligning or accusing the Department of Health and their administration of not doing a good job, I agree totally, but we must understand that for many, many years, until the Legislature finally realized the wrong we were doing, and that wrong, Mr. Speaker, was that the law said the Department of Health, the Chief Executive Officer of the Department of Health, or Director, had to be a medical man. He had to be an M.D. We finally changed that to make a good administrator administrate the hospital.

Now, under our civil service system, we have what we call the 'warm body policy' and that again, Mr. Speaker, is the doing of the Legislature that, you know, efficient. . . an administrator who is trying to do a job is trapped again because the laws of the State of Hawaii will not allow for weeding out of inefficient personnel. So everything that was said this morning, I agree with the gentleman from Manoa. There is something terribly wrong in the Department of Health, but it is being corrected within the law, and if we are going to do a good job and the service is necessary for the people of Oahu, then we had better do it here in the Legislature and take the handcuffs off.

As far as changing the name,

Mr. Speaker, and the confusion, I remember an eating and drinking place on Merchant Street was ordered to take their sign down because it said the bank. . . and people used to go there with their money, but it was deposited for different reasons.

Let us vote for this resolution and have the City and County at least consider and try to correct the kind of inefficiency, or the kind of error, that is being committed because of the name.

Thank you."

Representative Campbell then rose and asked whether or not the Chairman of the Health Committee would yield to a question to which Representative Segawa answered, "I will."

Representative Campbell asked:

"Mr. Speaker, what is the attitude of the City toward this proposed change?"

Representative Segawa answered:

"We had one person who, I believe, is the deputy in the City and County Department of Health, and he appears to be a new fellow in that department. He had no real inclination as to names and why it should be changed and why it shouldn't be changed. However, he brought up the point that this matter would have to be done through a change in their City and County Charter, and which would require Council action and the necessary procedures in their Charter. However, he was not really in a position to say whether they should change it or not.

Thank you."

Representative Sutton, in rebuttal, stated:

"Mr. Speaker, in order to effectuate this change. . . you have just heard the answer of the Department of Health. It would take the City and County's action to change the Charter of the City and County.

Now, Mr. Speaker, it would require a two-thirds vote of the County Council to change the Charter. They have not been able to get a two-thirds vote for two years, Mr. Speaker. How are they ever going to change? Why should we put something on the books that is impossible.

Thank you, Mr. Speaker."

Representative Kunimura, in rebuttal, stated:

"Mr. Speaker, the people should decide

if the Council cannot operate with two-thirds vote, and they have to change it. But, Mr. Speaker, if this was a bill to enact a law commending them, you know, by law to change, I would vote against it because the Constitution prohibits the Legislature to interfere in the area of organization. That has been well studied in the Constitutional Convention of 1968, but since this is a resolution, I cannot see any violation or anything that would be against the Constitution of the State of Hawaii. It is just a mere request, and let us test them if they can get the two-thirds vote or not, and let us not determine how they are going to vote on this issue if it should come up in the City Council meeting."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and S.C.R. No. 98, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CHANGE THE TITLE OF HEALTH DEPARTMENT TO REFLECT ITS PRESENT FUNCTION OF AMBULANCE SERVICES AND MEDICAL EXAMINATIONS", was adopted with Representatives Abercrombie and Sutton voting no.

Representatives Segawa and Baker, for the Committees on Health and Public Assistance and Human Services, presented a joint report (Stand. Com. Rep. No. 1137-78) recommending that S.C.R. No. 81 be adopted.

On motion by Representative Segawa, seconded by Representative Baker and carried, the joint report of the Committees was adopted and S.C.R. No. 81, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING INCREASED FEDERAL AID FOR IMMIGRANT HEALTH SERVICES", was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1138-78) recommending that H.R. No. 507, as amended in HD 1, be adopted.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.R. No. 507, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON WATER RATES AND WATER SERVICE CHARGES FOR AGRICULTURAL PRODUCERS ON THE ISLAND OF OAHU", was adopted.

Representatives Takamine and Stanley, for the Committees on Employment Opportunities and Labor Relations and Public Employment and Government

Operations, presented a joint report (Stand. Com. Rep. No. 1139-78) recommending that S.C.R. No. 41, as amended in HD 1, be adopted.

On motion by Representative Takamine, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and S.C.R. No. 41, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO CREATE MORE PUBLIC SERVICE EMPLOYMENT", was adopted.

Representatives Takamine and Stanley, for the Committees on Employment Opportunities and Labor Relations and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 1140-78) recommending that S.C.R. No. 51, as amended in HD 1, be adopted.

On motion by Representative Takamine, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and S.C.R. No. 51, HD 1, entitled: "SENATE CONCURRENT RESOLUTION RESPECTFULLY URGING HAWAII'S CONGRESSIONAL DELEGATION TO ACTIVELY SUPPORT PASSAGE OF THE REVISED HUMPHREY-HAWKINS FULL EMPLOYMENT AND BALANCED GROWTH BILL", was adopted, with Representatives Larsen and Sutton voting no.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1141-78) recommending that S.C.R. No. 53, as amended in HD 1, be adopted.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and S.C.R. No. 53, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING LABOR UNIONS AND EMPLOYERS TO COOPERATE IN THE DEVELOPMENT AND IMPLEMENTATION OF SAFETY TRAINING PROGRAMS", was adopted.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1142-78) recommending that S.C.R. No. 54, SD 1, be adopted.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and S.C.R. No. 54, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO COORDINATE WITH

INSURERS FOR SAFETY TRAINING", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1143-78) recommending that H.R. No. 135, HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.R. No. 135, HD 1, entitled: "HOUSE RESOLUTION URGING THE BOARD OF AGRICULTURE TO STREAMLINE AND FACILITATE PROCEDURES FOR PROCESSING OF REQUESTS FOR AGRICULTURAL LOANS AND REQUESTING A HOUSE COMMITTEE TO REVIEW RECENT LEGISLATIVE AUDIT REPORT ON THE DOA LOAN AND GRANT PROGRAMS AND ADMINISTRATION AND OPERATIONS OF AGRICULTURAL LOAN PROGRAM", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1144-78) recommending that S.C.R. No. 84, SD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and S.C.R. No. 84, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE AIR POLLUTION CONTROL REGULATIONS", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1145-78) recommending that S.C.R. No. 65, SD 1, HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and S.C.R. No. 65, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF TRANSFERRING THE REAL PROPERTY ACQUISITION FUNCTION OF THE DEPARTMENT OF TRANSPORTATION TO EITHER THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES OR THE DEPARTMENT OF LAND AND NATURAL RESOURCES", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1146-78) recommending that S.C.R. No. 103 be adopted.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES

TO REPORT ON THE QUANTITY AND QUALITY OF WATER RESOURCES IN THE STATE OF HAWAII", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1147-78) recommending that S.C.R. No. 74, SD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and S.C.R. No. 74, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNCIL OF HOUSING AND CONSTRUCTION INDUSTRY TO EXAMINE THE ECONOMIC IMPACT OF THE RESTRICTIONS AND REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE ACT IN THE STATE OF HAWAII", was adopted, with Representatives Abercrombie and Sutton voting no.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1148-78) recommending that S.C.R. No. 60, SD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and S.C.R. No. 60, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION, THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTIES TO DEVELOP JOGGING TRAILS THROUGHOUT THE STATE", was adopted.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1149-78) recommending that H.R. No. 607 be adopted.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.R. No. 607, entitled: "HOUSE RESOLUTION RELATING TO STANDING AND SPECIAL COMMITTEES AUTHORIZED TO CONDUCT HEARINGS DURING THE INTERIM BETWEEN THE ADJOURNMENT OF THE REGULAR SESSION OF 1978 AND THE CONVENING OF THE REGULAR SESSION OF 1979", was adopted.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1150-78) with certain recommendations.

By unanimous consent, the report of the Committee was received and placed on file.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep.

No. 1151-78) informing the House that House Resolution Nos. 686 to 713, House Concurrent Resolution Nos. 149 and 150, Standing Committee Report Nos. 1114-78 to 1150-78, Conference Committee Report Nos. 59 and 60, and Special Committee Report Nos. 14 to 16, have been printed and distributed.

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

SPECIAL COMMITTEE REPORTS

Representative Say, for the House Committee on Culture and the Arts, pursuant to House Resolution No. 712, adopted by the Regular Session of 1977, and directed to review the State Archives Program, presented a report (Spec. Com. Rep. No. 14) with certain recommendations.

By unanimous consent, Spec. Com. Rep. No. 14 was received and placed on file.

Representative Cayetano, for the House Committee on Energy and Transportation, pursuant to House Resolution No. 427, adopted by the Regular Session of 1978, and directed to review the status of the proposed Barbers Point Deep Drafft Harbor land exchange between the State of Hawaii and the James Campbell Estate, presented a report (Spec. Com. Rep. No. 15) with certain recommendations.

By unanimous consent, Spec. Com. Rep. No. 15 was received and placed on file.

Representative Takamine, for the House Interim Committee on Employment Opportunities and Labor Relations, appointed pursuant to House Resolution No. 712, adopted by the Regular Session of 1977, and directed to review the State's unemployment problems, presented a report (Spec. Com. Rep. No. 16) with certain recommendations.

By unanimous consent, Spec. Com. Rep. No. 16 was received and placed on file.

Representative Shito, for the majority of the House Committee on Housing, pursuant to House Resolution No. 112, adopted by the Regular Session of 1977, and directed to review the State's housing program and operations, presented a report (Spec. Com. Rep. No. 17) with certain recommendations.

By unanimous consent, Spec. Com.

Rep. No. 17 was received and placed on file.

Representative Takamine, for the House Committee on Employment Opportunities and Labor Relations, pursuant to House Resolution No. 712, adopted by the Regular Session of 1977, and directed to review the implementation of the Hawaii Occupational Safety and Health Law (HOSHL) presented a report (Spec. Com. Rep. No. 18) with certain recommendations.

By unanimous consent, Spec. Com. Rep. No. 18 was received and placed on file.

Representative Peters, for the House Ad Hoc Interim Committee on Native Hawaiian Corporations, authorized pursuant to House Resolution No. 712, adopted by the House of Representatives in the Regular Session of 1977, and requested to study the feasibility of establishing Native Hawaiian Corporations as proposed by House Bill No. 1469, relating to the Native Hawaiian Program and introduced in the Regular Session of 1977 for the purpose of bettering the conditions of Native Hawaiians, presented a report (Spec. Com. Rep. No. 19) with certain recommendations.

By unanimous consent, Spec. Com. Rep. No. 19 was received and placed on file.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 714, 716 to 719, 721 to 740) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 714) commending the University of Hawaii Rainbow Baseball Team for its fine performance during the first half of the season and extending best wishes for a successful second half was jointly offered by Representatives Ushijima, 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, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Uwaine, D. Yamada, K. Yamada, Yuen and Wakatsuki.

Representative Ushijima moved that the resolution be adopted, seconded by Representative Kunimura.

Representative Ushijima then rose and stated:

"Unfortunately, Mr. Speaker, the members of the baseball team are in Hilo this afternoon and, as a result, could not be here. Nonetheless, this young baseball team composed of nine freshmen, eight sophmores, nine juniors, and only one senior, has been doing a tremendous job in their competitive schedule. They have thus far established a record of 21 wins, 10 losses amongst the U.S. collegiate teams, but if you were to count the games played against the foreign collegiate teams, they have a record of 31 wins and 12 losses. As of today, this young University of Hawaii team is ranked No. 15 in the entire United States, and this exemplifies the outstanding nature of this particular baseball team.

I urge all of my colleagues to support this resolution."

The motion was put by the Chair and carried, and H.R. No. 714 was adopted.

A resolution (H.R. No. 716) recognizing and commending the University Community Emergency Care Group in their efforts to provide the instruction of cardiac pulmonary resuscitation classes at the University of Hawaii Manoa Campus was jointly offered by Representatives Ikeda, Abercrombie, Ajifu, Baker, Blair, Caldito, Campbell, Carroll, Dods, Evans, Fong, Garcia, Inaba, Kihano, Kiyabu, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Ikeda, seconded by Representative Uwayne and carried, H.R. No. 716 was adopted.

A resolution (H.R. No. 717) congratulating Timothy "Tim" Scott Farr on being elected President of the Association of Students of the University of Hawaii at Manoa was jointly offered by Representatives Ueoka, Caldito, Cayetano, Cobb, Dods, Fong, Inaba, Kihano, Kondo, Lunasco, Medeiros, Say, Stanley, Takamura, Toguchi, Uechi, Ushijima, Uwayne, K. Yamada and Yuen.

On motion by Representative Ueoka, seconded by Representative Kondo and carried, H.R. No. 717 was adopted.

At 3:09 o'clock p.m., on request by Representative Ajifu, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:33 o'clock p.m.

A resolution (H.R. No. 718) commending the Kamehameha Schools for their outstanding Legislative Intern Program was jointly offered by Representatives Say, Abercrombie, Caldito, Carroll, Inaba, Kawakami, Kihano, Lunasco, Narvaes, Shito, Stanley, Takamura, Uwayne and Yuen.

On motion by Representative Say, seconded by Representative Yuen and carried, H.R. No. 718 was adopted.

A resolution (H.R. No. 719) congratulating Helen Marie Puhl on her retirement from the Chamber of Commerce of Hawaii was jointly offered by Representatives Ushijima, Abercrombie, Ajifu, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Ikeda, Inaba, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Suwa, Takamine, Toguchi, Ueoka, Uwayne, D. Yamada and Yuen.

On motion by Representative Ushijima, seconded by Representative Suwa and carried, H.R. No. 719 was adopted.

A resolution (H.R. No. 721) commending Mr. Katsuichi Tamura, President of the "Tamura Superette", Waianae, for his contributions to tennis development was jointly offered by Representatives Peters, Abercrombie, Aki, Caldito, Carroll, Cayetano, Cobb, Dods, Inaba, Kihano, Kunimura, Lunasco, Machida, Morioka, Shito, Takamine, Uechi, Ushijima and Yuen.

On motion by Representative Peters, seconded by Representative Aki and carried, H.R. No. 721 was adopted.

A resolution (H.R. No. 722) commending and thanking Mr. Larry Mehau for his services on the State Land Board and in the community was jointly offered by Representatives Peters, Takamine, Aki, Baker, Caldito, Garcia, Inaba, Kiyabu, Kunimura, Mina, Morioka, Naito, Nakamura, Say, Segawa, Shito, Stanley, Suwa, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwayne, D. Yamada, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Peters, seconded by Representative Takamine and carried, H.R. No. 722 was adopted, with Representative Kamalii voting no.

A resolution (H.R. No. 723) congratu-

lating Steven Wayne Bragado upon his appointment to the United States Air Force Academy and expressing best wishes of the Hawaii State House of Representatives for success during his enrollment at the Academy was jointly offered by Representatives Peters, Aki, Abercrombie, Carroll, Cayetano, Inaba, Lunasco, Shito, Takamine, Ushijima and Yuen.

On motion by Representative Peters, seconded by Representative Aki and carried, H.R. No. 723 was adopted.

A resolution (H.R. No. 724) authorizing and empowering the Speaker of the House of Representatives of the Regular Session of 1978 to complete the work of the Ninth Legislature was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 724 was adopted.

A resolution (H.R. No. 725) authorizing the Speaker of the House of Representatives to designate which employees and officers of the House shall be given additional employment in order to meet the work after the session was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 725 was adopted.

A resolution (H.R. No. 726) approving the Journal of the House of Representatives of any legislative day being compiled as of the Sixtieth Day was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 726 was adopted.

A resolution (H.R. No. 727) authorizing and directing the Committee on the Journal to compile and print the Journal of the House of Representatives of the Regular Session of 1978 was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 727 was adopted.

A resolution (H.R. No. 728) extending appreciation and thanks to the Honolulu Advertiser for its splendid coverage of the activities of the Ninth Legislature, Regular Session of 1978 was jointly offered by Representatives Kihano,

Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 728 was adopted.

A resolution (H.R. No. 729) extending appreciation and thanks to the Honolulu Star-Bulletin for its extensive coverage of the activities of the Ninth Legislature, Regular Session of 1978 was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 729 was adopted.

A resolution (H.R. No. 730) extending appreciation and thanks to the Associated Press for its extensive and splendid coverage of the activities of the Ninth Legislature, Regular Session of 1978 was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 730 was adopted.

A resolution (H.R. No. 731) extending appreciation and thanks to the United Press International for its extensive and splendid coverage of the activities of the Ninth Legislature, Regular Session of 1978 was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 731 was adopted.

A resolution (H.R. No. 732) extending appreciation and thanks to the radio and TV stations for their fine and extensive coverage of legislative activities throughout the session was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 732 was adopted.

A resolution (H.R. No. 733) commending the Hawaii Public Television for its splendid coverage of the activities of the Legislature was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 733 was adopted.

A resolution (H.R. No. 734) expressing appreciation and thanks to the Legislative Auditor's office for its splendid cooperation and service rendered to the House

during this session was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 734 was adopted.

A resolution (H.R. No. 735) extending a deep-felt mahalo to the Legislative Reference Bureau for its splendid cooperation and excellent service rendered to the House of Representatives, Regular Session of 1978 was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 735 was adopted.

A resolution (H.R. No. 736) expressing appreciation and thanks to the Capitol security force for outstanding services to this House throughout the Regular Session of 1978 was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 736 was adopted.

A resolution (H.R. No. 737) extending a deep-felt mahalo to the Central Services Division, Department of Accounting and General Services for excellent services rendered to the House of Representatives, Regular Session of 1978 was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 737 was adopted.

A resolution (H.R. No. 738) extending appreciation and thanks to the Honolulu Police Department for its fine and efficient service rendered to the House of Representatives, Regular Session of 1978 was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 738 was adopted.

A resolution (H.R. No. 739) extending sincere gratitude and thanks to the Honolulu Council of Churches and all of its member churches, the Association of the Oahu Evangelicals, the Honpa Hongwanji Mission and the Catholic Diocese was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 739 was adopted.

A resolution (H.R. No. 740) extending appreciation and thanks to the Pineapple Growers Association of Hawaii for supplying pineapple juice to the House of Representatives, Regular Session of 1978 was jointly offered by Representatives Kihano, Ajifu, Kamalii, Kondo and Yuen.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, H.R. No. 740 was adopted.

At 3:35 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:37 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 bills on Final Reading on the basis of a modified consent calendar.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 23 on H.B. No. 1939-78, HD 1, SD 1, CD 1 (Deferred from April 13, 1978):

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

Conf. Com. Rep. No. 42 on H.B. No. 2319-78, HD 1, SD 2, CD 1 (Deferred from April 13, 1978):

Representative Garcia moved that the report of the Committee be adopted and H.B. No. 2319-78, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Cobb.

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

"Mr. Speaker, the common complaint made by the feminist community is that government ignores or contradicts the interest and needs of women. The basis for this criticism is that laws are made by men for men.

A few months ago, after Congress and the President had glibly declared

that abortion was not an option for poor women, Congresswomen Fenwick, a Republican and I am proud to note, observed that their actions were only possible because they were not women.

Mr. Speaker, I had not often had reason to make similar statements because of the actions of this House. Today, in looking at this conference draft, House Bill 2319-78, I am joining them and asking for the defeat of this measure as it was originally submitted and subsequently amended, the purpose of this bill remained clear. It was to clarify the mandate of county committees on the status of women, and to allow these boards more freedom to determine their own course and to coordinate with the State Commission on the Status of Women. As amended in conference, this bill now makes such county committees optional. I believe that any argument that this option is an extension of home rule is shibai. Why suddenly should this body be so concerned over the freedom of the counties only as it pertains to women?

I have spoken with the representatives of the women's political caucus, the women's study program and the Chairperson of the Honolulu Committee on the Status of Women yesterday. Each of them said, and I quote: 'Kill the bill.'

Women had made gains in the last eight to ten years but until the time when my colleagues and the general public are sensitive, are aware enough not to need reminding of the sexist bias on the special problems of women, we will all need, at the least, watchdog committees; not maybe, we should have such groups, and I quote: 'We shall have such committees' - not may, we shall have. In fact, Mr. Speaker, if the Conference Committee were intent on changing the language of this bill, I am sorry that they didn't see fit to strengthen the functions of the committees and the commission.

In fact, Mr. Speaker, in all fairness, I do also believe that, too often, there is a problem of women working against themselves and each other, particularly the State Commission on the Status of Women seems to have lapsed into an attitude of inaction and omission. Perhaps, the amendment which was needed was the State omission on the status of women.

I can only hope that the new members of this group will add integrity and vigor to the commission. I hope that the Governor has chosen well. I urge your help in defeating this bill.

Thank you."

Representative Garcia then rose to speak in favor of the bill, stating:

"Mr. Speaker, one of the last things that this Legislature would go on record is the denial that women have played a very important part in making history here in Hawaii.

What this bill does in essence is to make it optional for the counties to determine on their own whether or not they want to have the County Commission on the Status of Women. The reason why the Committee took this approach was because of criticism that was received by the various county commissions about the lack of cooperation, about their own status as an advisable body, rather than as an action body to the State Commission on the Status of Women.

Many people, especially the Commission, knows my feelings about the job that they have done over the past several years. They have made some inroads - no question about it - regarding women's rights. But, they have a long way to go.

But more to the point, each county felt, because of the very nature of problems that may be countered by women in the various counties, and since the mayors of each county do the selection of the members who sit in each county commission, it was felt that if we are going to do a job right, then let's do it right. Give each county the option to determine on their own whether or not they want to have a commission of this type, and if they should so choose, provide the funding and the expertise and the necessary equipment to do the job right. We don't want a facade of a county commission on the status of women who only seems to serve as an advisory body to a State commission. What we want is a Commission that has a lot of vision, a Commission that will be composed of men and women who will look at women's problems in the right perspective from that county perspective and do the job that is needed.

Too often because and many commissions we have now on the State level, the counties have reneged or have failed to provide adequate follow through and vice versa on the part of the State commissions on these rights and issues that come before the Legislature. We just want to say, if you want a commission on each county, then each county should set it up, fund it, follow the mandates that that county commission wants. It really is an extension of home rule, Mr. Speaker, and that is the reason

why the Conference Committee wanted this bill to come out this way.

Thank you."

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

"Mr. Speaker, the Judiciary Chairman has done yeoman labor in trying to defend the bill, and I think can sit down now honorably and allow the rest of us to kill the bill.

Mr. Speaker, I keep a fair record and try to do a thorough job, and so I am going to go back to the justification sheet, if you will, of November 8, 1977, of the Department of Budget and Finance State Commission on the Status of Women, an act relating to the status of women. The purpose of the bill is to designate as county function the ongoing determination and improvement of the status of women within the counties. This is the purpose listed. The purpose of this act shall be accomplished by requiring counties to provide for the delegated functions by December 31, 1978. The justification? Because the county committees on the status of women need the strength and the support at the county level of government.

Now, this is how we started out in November of 1977. We are now in April of 1978, and we have arrived at the opposite course of the original justification of the administration. Now, let me read to you what it is that we started with. It is relating to the status of women - 'A Bill for an Act, 2319-78. Be it enacted by the Legislature. . . et cetera. County function: Each county shall provide for a committee on the status of women in each county which shall generally advise the county and the state. How can you possibly have a circumstance which leaves it optional and do both which is the reason for its existence in the first place? If there is a problem with the counties not being sufficiently recognized by the State, or vice versa, this bill addressed it quite specifically. The county commissions would be required to advise the county and the State. The institutional function, in other words, would be placed in such a way that should there be individuals who do not carry out their functions properly, the law could be cited to see that they do.

What you have with this bill right now, on the other hand, as I have on a note written to me by the staff in my office that happened to be females - you all remember them - this bill,

as amended, would give mayors the powers to abolish county commissions and the status of women.

Mr. Speaker, there isn't the slightest doubt in my mind that this has some kind of a political motivation, nurtured somewhere deep in the bowels of political intrigue in some county, or in some State agency, in which there is a degree of jousting going on as to what in fact represents women's interests. The previous speaker has made some mention of the possibility of that kind of thing. This has always happened - civil rights, labor unions, women. You know what this bill proves, Mr. Speaker? It gets right back to the character. I don't care what race you are, what sex you are, where you come from - it's still in the end comes down to whether you have the character, whether you really believe in what you are saying. Just because someone is a woman doesn't mean that they are going to act in women's interests. Just because someone is of a certain race doesn't mean that that person is going to act in that racist interest to the extent a race has an interest. Just because someone is from Oahu doesn't mean that that person is going to act in Oahu's interest. These are all the surface things that we utilize - all the time - to justify our skulduggery, especially when we don't want to admit the source of it.

It seems perfectly clear to me that by putting in 'may' instead of 'shall'. . . Mr. Speaker, you are smiling. That's the first time, I think. . . look at that, that's amazing. I love it; thank you very much. This is a great bill."

The Chair remarked:

"That is because I find you very amusing at times."

Representative Abercrombie continued his remarks, stating:

"Yes, indeed. Well, that's why I said. This bill. . . this should be the subject of levity and I am glad it is coming on the last day, and I thank the Judiciary Chairman for lightening our efforts on this last day. We had so much difficulty during the session.

Mr. Speaker, we can't really move into the area of affirmative action and make it serious, and I am serious, in turn, about it. Affirmative action. Just coming from my own responsibilities here in the Legislature as a Vice Chairman of a committee in which affirmative action is a very, very important function.

In higher education, women have been consistently denied the opportunity over the years not only to teach and do research, but to even be admitted into graduate research programs. This is altering and we have a commission operating there right now. The fact that there has not been the proper coordination is not a reason to abolish the agencies whereby such cooperation may be achieved. What is necessary is to appoint the kind of people who understand what it is that is being sought and then give them the opportunity to do so.

Now, in all honesty, I think if we think seriously about this bill, we should defeat now and if there are problems of personality or character, let's take care of those things by insuring that we appoint good people and that we take these appointments seriously and not as something that we do either geographically, or to take care of our friends, or to accommodate politicians, or whatever else is involved.

The issue of affirmative action and the status of women is much too important to treat in such a cavalier fashion.

Thank you."

Representative Larsen, speaking in opposition of the measure, stated:

"Mr. Speaker, this is the last day and almost the last hour that I would be on the floor in this enjoyable place with you all, but I am looking at another . . . almost a year in my home and before I might have the pleasure of coming back, and if I left here voting for this, I am not sure I can go in the front door."

The Chair remarked:

"There is always the back door."

Representative Larsen continued his remarks, stating:

"It's still before four o'clock and I am not sure all keys would be changed by the time I got home.

Anyway, it has been made aware to my conscience that there are many subtle things that are going on in the State of Hawaii and through the world that women do not have an 'arrived at' status that we keep talking about. In fact, if we look around here, you can see that they are a little bit under-represented, and I insist that to be evenly represented, they should have at least 25 seats, not 26.

Thank you."

Representative Blair then rose to speak in favor of the bill, stating:

"Mr. Speaker, I understand there is a woman in his district who is going to seek to change the number of women in this body and I am not sure he should have made that statement, but the bill, Mr. Speaker, can be construed as being contrary to the position that this body has taken on the Equal Rights Amendment, but I don't think that would do justice to the people who supported it.

We have, this session, seen many number of bills which would have us sitting quasi as members of the county council of the various counties, and I think it is a very dangerous precedent, and whether we attack it here, or whether we attack it in other areas, I think it should be pursued in all areas.

I have come to appreciate the importance of home rule and home rule is just as important in this area as it is in any other. There has been at least a dozen bills this session that would have had us telling the councils how to do council business. I think almost all of them, if not all of them, were fortunately defeated, and I would like to have this voted on in the same vein as those that were defeated and if the counties are serious about the status of women, then they will not only have these, but they will make them offered even in the best interest of women. If they are not serious about it, the fact that we make them put the formal structure together, is not really going to accomplish anything, and since this is really a county issue, I think that the oner should be on them to affirmatively support their county, or if they won't, to be honest enough to abolish it, but not to have the facade of a commission without affirmatively supporting its acts.

I think this bill is a very good one and I would urge that it be supported."

Representative Evans then rose to speak against the measure, stating:

"Mr. Speaker, the immediate previous speaker who has not yet reached his thirtieth birthday and who has lots to learn talked about ERA. I believe that this bill, as it now stands, is detrimental and in complete opposition to the philosophy of the Equal Rights Amendment. The Chairman of the Committee has talked about the fact that there was lack of proper coordination and factionalism and groups not working together. That

is no reason to impose such a measure such as this. There are a lot of divisiveness among groups - men's groups - where agencies and commissions are full of men and very little women, if at all any women, and I don't see us abolishing them or saying you may form these groups or you may not.

I feel that this bill will create more divisiveness among the women of the State of Hawaii and you will be pitting women against women.

We talked about home rule. If we are really sincere about home rule, we should defeat this bill.

Mr. Speaker, the State of Hawaii has 19 percent women in their State Legislature. I believe we are the third in the nation, and I believe if we are to progress any further, if we are to increase our numbers, we will not do so by this kind of measure. What we are doing is setting us back to the age of the suffrage act.

I urge all my members. . . I challenge you to defeat this bill."

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

"When President Kennedy was asked one time at a press conference by a reporter and this reporter asked him: 'Mr. President, what have you done for women during your administration?' His immediate reply was, 'Well, apparently, not nearly enough', and I think that that typifies what we are doing with this measure here, and I would like to have the remarks of my learned colleague, Representative from Waikiki, incorporated by reference and adopted as my own.

Thank you."

The Chair, noting that there were no objections, "so ordered."

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

"Mr. Speaker, over the last number of years, I have been the recipient, as have many other members of this House, I am sure, of reports from the various county commissions on the status of women. Those reports I am referring to are particularly from Kauai, from the Honolulu Commission on the Status of Women, and from other counties. They have been the most impressive reports I have seen. Apparently, these commissions have been very, very hard at work.

The possible skulduggery, the rumors, et cetera, the relationships with the State Commission on the Status of Women, I have no documentation, nor do I think it necessary to go into it at this point, but to abolish, or to make it optional for these counties and for the women who have worked obviously very, very hard at their task with these counties to now become a possibility at the whim of the particular county as to their continued existence I think is, right now, at least in my opinion, absolutely absurd. We are, as some of the previous speakers had mentioned, taking a step backwards, and I would urge my colleagues to vote against this measure.

Thank you."

Representative Kunimura then rose and stated:

"Mr. Speaker, I have just now decided what I am going to do with this bill. Up until. . . I am going to rise to speak against this bill, Mr. Speaker, before I am called to order by the strong lady from Waikiki. Now I see her smiling.

Mr. Speaker, I did not know very much about this bill, not that I am indifferent to the problems, but if what was said today that because people cannot get along we are going to enact this into law, then I say, 'hallelujah!'. This body will be so busy from sessions coming to cut peoples' legs off and limbs off because they can't get along, I think it is our duty and responsibility to make people come together. We have diverse interest here in the Legislature. We yell at each other; we practically beat each other on the head, but we come together, and if we are going to say, Mr. Speaker, we are going to come together; if we are going to say that take them away because they can't work together - this divisiveness going on - then we are certainly adding fuel to the fire, and I am very sorry. I thought I was going to support this measure but I cannot when such arguments are presented, and I now change my position, and I am going to vote against this measure, and I urge all open minded members of this House, don't come here on the floor committed. You may be committed, but be willing to uncommit when the truth is revealed.

Thank you very much."

At this point, Representative Kamalii rose and asked for a roll call vote on H.B. No. 2319-78, HD 1, SD 2, CD 1.

Representative Abercrombie, in rebuttal, stated:

"Mr. Speaker, I want to indicate that we will shortly be voting on a State Plan, and I want to refer the members attention to the body of the bill which is going to now become optional. I don't think human rights are optional. This is a human issue, not a county issue. This is not a question of home rule, and I will tell you why. We are not changing anything; this is now what is going to be optional. I want everybody to understand what it is that is going to be optional if you vote 'aye.'

'The committees shall submit to the State commission, plans and proposals affecting the status of women in the several counties.' If we vote 'aye', that means that plans and proposals affecting the status of women shall be optional.

Second, among the membership is a senior county representative of the Commission on Children and Youth. The other members shall be selected on the basis of their interest and knowledge in, and their ability to make contributions to, the solution of problems relating to the status of women within the county and their knowledge of local conditions. We are now going to make this optional as to whether people may be chosen to represent the interests of women on the basis of their knowledge and their ability to make contributions to the solution of problems. We are going to make the solution of problems, in respect of women, optional, if we vote for this bill.

In all candor, Mr. Speaker, if we look beyond the change in the law as to what the law now requires, should the law remain as it is, we can see that this is indeed an avenue to go towards solutions to the problems of women, and to make it optional would not only be a step backwards, but a denial of this very human issue.

Thank you."

Representative Garcia, in rebuttal, stated:

"Mr. Speaker, I would like to read from line 8: 'In the event a county provides for a commission on the status of women, the county shall ensure the participation, involvement, and input of both governmental agencies and private individuals, and broad-based public participation.'

Just for the record, Mr. Speaker, for those who weren't at the public hearing, it was a member from the county commission that asked for this

abolishment the sever of ties between the county commission and the State Commission on Women. I didn't bring up any arguments relating to the diversity of opinions between the county commission and the State commission as being the reason why we should abolish this particular area. The reason I brought this out was because I felt, and so did the Committee, and so did several members of the County Commission on the Status of Women feel, that the participation that they received and the kind of help they received from the State commission has been minimal. If they really want to provide solid support for women's issues, then give each county the option to do that. Why should this great father called the 'State' mandate each county what to do and what not to do on women's issues. Exactly the opposite should happen. Women themselves should insure that each county participate and put together a county commission, should insure that the mayor of each county listen to the input of women and it is the women themselves on these county commissions that are going to provide that kind of leadership.

Too often, especially on the county level, we expect the State to hop in and provide some kind of support to get things done. It is exactly this kind of issue as the reason why, many times, not only in regard to women's rights, but civil rights also, they have expected other people to do things for them. That is exactly what we don't want to do, Mr. Speaker. By giving the county the option, if they elect to provide for this county commission, then they are going to provide the kind of commitment that is necessary to really get the job done.

Thank you."

Representative Kamalii then rose and stated:

"Mr. Speaker, I hate to prolong the discussion on this bill, but I am afraid the previous speaker has just twisted the whole thing around. It is easy and quick for us to mandate the counties to do many, many things, but when it comes to helping the women straighten out our affairs, they are quick to run away.

Now, I have talked with the women that testified at that conference committee or I would not be standing here today giving the speech, and it is a woman's option to change their minds, and I am telling you that they don't want this bill and we would like to have it killed."

Representative Stanley then rose to

speak against the bill, stating:

"Mr. Speaker, I think that the bill before us does not address the problems as articulated by the Chairman of Judiciary, and I think what is actually needed are the county commissions on the status of women give attention to what solutions - legislative or otherwise - should be considered to make the State commission more effective.

Sometimes, I think, certain members of this body expect extraordinary accomplishments from certain commissions, extraordinary measures of endeavor beyond what they would expect of other commissions who carry other kinds of responsibilities, and I think that is the case in this instance, and I think that every member of this body would be very remiss to support this bill and, therefore, I urge everyone here tonight to defeat this measure."

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

"Mr. Speaker, it occurs to me that if, as has been reported to this body, the women's organization have indicated their desire that this bill not be passed at this time, and if the majority of the women legislators in this body also support that point of view, it seems to me that that makes a very strong argument for voting this bill down.

Thank you."

At 4:10 o'clock p.m., on request by Representative Kondo, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:23 o'clock p.m., Representative Ajifu moved that H.B. No. 2319-78, HD 1, SD 2, CD 1, be recommitted, seconded by Representative Kamalii.

At 4:25 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:27 o'clock p.m., the Chair stated:

"The motion dies for lack of a second. The Chair did not recognize you, Representative Kamalii, and the Chair further rules that the motion is out of order at this time."

Representative Ajifu then rose and stated:

"Mr. Speaker, I was just going to say the motion is in order, but I was going to withdraw because I was just informed that they are prepared to kill the bill."

The Chair replied:

"The Chair still rules that the motion is out of order."

Representative Garcia was recognized and he stated:

"Mr. Speaker, as you know, we had a very long recess and all of us have had time to call home. Everyone knows how reasonable I am as a Chairman, so I would like to request that this particular bill be deferred to the end of today's calendar for the purpose of filing."

The Chair, noting that there were no objections, "so ordered", and action on H.B. No. 2319-78, HD 1, SD 2, CD 1, was deferred until later in the calendar.

Conf. Com. Rep. No. 43 on H.B. No. 1938-78, HD 1, SD 1, CD 1 (Deferred from April 13, 1978):

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

Conf. Com. Rep. No. 45 on H.B. No. 1937-78, HD 1, SD 1, CD 1 (Deferred from April 13, 1978):

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

Conf. Com. Rep. No. 59 on H.B. No. 2618-78, HD 1, SD 2, CD 1 (Deferred from April 13, 1978):

Representative Shito moved that the report of the Committee be adopted and H.B. No. 2618-78, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Aki.

Representative Narvaes rose and asked whether or not the Chairman of the Housing Committee would yield to a question, to which Representative Shito replied in the affirmative.

Representative Narvaes asked:

"Mr. Speaker, I would like to know how much of this \$22.5 million will be insured by the Federal Housing Administration and for which the Authority has

received notification of selection of preliminary proposal under the the Federal Rent Subsidy Program - how much would the total be of the \$22.5 million?"

Representative Shito answered:

"Mr. Speaker, on the commitment that we have received is that \$12 million would be commitment or notification to follow for the additional \$10.5 million which, at that time, amounted to \$22.5 million."

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

"Mr. Speaker, this bill would allow the Hawaii Housing Authority to issue \$22.5 million in revenue bonds. Mr. Speaker, when this bill went into conference, the Senate initially wanted to allow the Hawaii Housing Authority to issue only \$5 million in revenue bonds. The House position at that conference, at that time, was to settle for \$12 million. The position of the House was determined by tying in 4 to 20 projects with specific amounts which totaled approximately \$12 million.

Mr. Speaker, I still haven't been provided with proper information which will determine specifically where the \$22.5 million will go which were proposed in the bill. Mr. Speaker, we are giving the Hawaii Housing Authority \$12 million more than they actually need. Mr. Speaker, I cannot support that.

Now, Mr. Speaker, when this bill was initially heard by the Housing Committee, and this is an Administration bill, there was this language in the bill, and I will read that language: 'Notwithstanding and without compliance with the provisions of sections 103-7 and 103-22 but with the approval of the Governor, the Authority may enter into and carry out agreements and undertake projects or participate in projects authorized by this chapter.'

Mr. Speaker, now let me read what section 103-7 is in our State laws. It reads: 'Capital improvements; authorizations for; emergency repairs or reconstruction, exception. All capital improvement projects requiring the use of general funds, special funds, general obligation bonds, and revenue bonds of the State, except projects covered by chapter 41 shall require authorization by the legislature and the Governor.'

Well, Mr. Speaker, the Housing Committee had amended the initial

bill to put in that section so that this would be required so that approval by both the legislature and the Governor would be required.

Now, Mr. Speaker, when this bill went over to the Senate, they had passed the bill with the \$5 million figure, replacing it with \$22.5 million that the House had approved, but they had not changed the specific language of the bill - just the amount.

Well, Mr. Speaker, when this bill went into conference, some other changes were made, and this section and the initial changes that the House had made, were again taken out. So now, Mr. Speaker, the Governor's approval would be required.

Mr. Speaker, I cannot support that after I have dug into the past history of the Hawaii Housing Authority, and I have seen too many bail-outs, and I have seen too many pay-offs, and too many lies which the Hawaii Housing Authority shouldn't have had done. Mr. Speaker, I want the Legislature's approval on everything that the Hawaii Housing Authority does.

Mr. Speaker, for these reasons, I would urge all the members of this body to vote 'no'."

Representative Shito, in rebuttal, stated:

"Mr. Speaker, I would like to call the attention of the previous speaker to page 2 where it specifically spells out: 'The Authority, with the approval of the Governor, may issue revenue bonds in an aggregate amount not to exceed \$22,500,000 for the permanent financing of rental housing projects for which the Authority has received notification of selection of preliminary proposal under a federal rent subsidy program.' In other words, before any bonds can be issued, there must be a notification from the clerk.

Further, he talks about 103-7, and I think I want to bring his attention to the fact that the revenue bonds shall be issued in the name of the Authority and not in the State, and this is what we are talking about when the bond counsel made this recommendation to us that it is notwithstanding 103-7 before these bonds can be floated.

Further, Mr. Speaker, I am wondering if the gentleman from Kalihi really was concerned with the Hawaii Housing projects. For the first time, we had received the elderly location to produce the number of units where we have 14,000 elderly on the list waiting and this is the mechanism

that we have long awaited to provide the elderly housing that is so needed within the State, and I really question the merits of what he is saying here is not true as contained in the bill."

Representative Kunimura then rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill and in doing so, if I may share what was my concern also, about giving the kind of latitude that the Legislature not having the say as to the commitment, but after reading the bill and the conference draft, there are enough safeguards.

This area of rental subsidy is very peculiar. The Federal government, under HUD, sets up x-million dollars for the use by the states and the counties, if necessary, to put up housing that is so badly needed and this in no way obligates the State of Hawaii and its general obligation bonding capacity, and in no way can the Hawaii Housing Authority take the ball and run all over the football field because the perimeters are set.

The peculiar part, Mr. Speaker, is that many area of the United States have their quotas and some areas choose not to take care of their elderly housing and, therefore, the Federal government, or the director, or the secretary of HEW, would end up with unused allocated funds which then becomes, under the Federal law, discretionary on the part of the HUD and, therefore, this discretionary fund would become available to states who want to take care of their housing needs, and if we put requirements that the Legislature must approve, the mechanism would be so cumbersome that we would have to come back into special session, and in the meantime, somebody else would beat us to it and the funds would no longer be available.

I can understand the concern of the gentleman from Kalihi Valley, but if he wants the Legislature to jump in and jump out of special session, like a crap table at Las Vegas, to make sure that the needs of the elderly in Hawaii are taken care of, then be my guest, but I am pretty sure that the safeguards are there and if the funds become available, the discretionary funds, then with all the commitments and the necessary procedures spelled out in this particular proposal, and with the approval of the Governor, those safeguards, I feel, are adequate

and more than adequate to protect the fiscal integrity of the State of Hawaii and I, therefore, recommend or urge all members to vote in favor of this particular legislation."

Representative Takamura then rose to speak in favor of the bill, stating:

"Mr. Speaker, I believe, like the previous speaker, I, too, have had cause to be critical of the performance of the HHA in the past; however, my experience with them, with regard to the building of elderly housing, is that they do an outstanding job, and I believe it is important for us. . ."

At this point, Representative Narvaes interrupted on a point of order and stated:

"Mr. Speaker, if the present speaker is able to refer to other elderly projects, then I would like to be able to speak on general obligation bond projects of HHA also."

The Chair ruled Representative Narvaes out of order and said:

"Representative Narvaes, Representative Takamura's argument is germane to the subject matter."

Directed by the Chair to "proceed", Representative Takamura proceeded to speak.

Representative Narvaes, on a point of order, said:

"Mr. Speaker. . ."

The Chair interrupted and asked:

"The Chair has ruled on your point. Do you have another point of order?"

Representative Narvaes answered:

"Yes, Mr. Speaker, if he is able to speak on all the elderly projects which have to deal with general obligation bonds, then shouldn't I be able to do the same in my arguments against this bill?"

The Chair stated:

"The Chair has ruled you out of order, Representative Narvaes."

Directed by the Chair to "proceed", Representative Takamura continued his remarks, stating:

"Mr. Speaker, as has been reported earlier to this body, the main reason that we have this bill before us is to help promote the building of elderly

housing projects in the State of Hawaii. I believe that, if you recall the elderly master plan which this body adopted about three or four years ago, the need to build more housing for the elderly is one of the top priorities for the elderly program here in the State of Hawaii, and I believe it is important for us to have the mechanism that this bill presents us with in order for us to meet that commitment so, therefore, I would urge everyone to vote in favor of this bill."

Representative Suwa then rose and stated:

"Mr. Speaker, being the Finance Chairman, I would like to speak in support of this bill.

Mr. Speaker, this is one method that using the initiative of the revenue bond and assisted by federal funds could make the elderly be able to afford a home or apartment.

Mr. Speaker, if you recall the University dormitory that I spoke about when this bill first came out, the University had all the dormitory construction in revenue bonds. After projecting that twenty years to be the bond cost factor and the construction cost factor projection, it was brought out that the students could not afford the type of boarding fee the University could charge the students. Therefore, what the State did was to supplement the general fund to that project, thereby reducing the cost of the revenue bond commitment so that the students could afford. This is the same example, but instead of using general funds, we are using Federal funds to supplement that difference whereby the senior citizens can afford a substantial reduction in their rent.

Thank you, Mr. Speaker."

At 4:44 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:52 o'clock p.m.

The Chair then recognized Representative Narvaes and he stated:

"Mr. Speaker, at this time, I would like to make it very clear that I am not against elderly housing - not at all. We need elderly housing in the State, and there is a lot of elderly people which we must care about and which we have to look into an area where we can provide them with housing, and these Federal funds

are one area.

Mr. Speaker, my opposition to this bill is basically that we are authorizing, through this bill, \$22.5 million, but the project description and the information that has been provided by the Hawaii Housing Authority is that only \$12 million of this \$22.5 million is presently tied in and has been okayed. The other \$12 million has not been okayed as yet.

Mr. Speaker, at this time, may I also ask that my remarks previously on this bill be incorporated into the Journal by reference, please. (The Chair, noting that there were no objections, 'so ordered.')

Mr. Speaker, my last objection to this bill is that one of the other sections in our State law which is exempted through this bill in which the Hawaii Housing Authority is exempted from is Section 103-23, which is the public bidding law. Mr. Speaker, as far as I am concerned, the public bidding law lowers the cost of housing. It will lower the cost to the Hawaii Housing Authority, and it would lower the cost to the State. Mr. Speaker, I see no reason why it should be exempt from public bidding, and I don't see any reason why these revenue bonds should be exempt from that public bidding process also.

Mr. Speaker, for those reasons, I would like to urge all members to vote 'no'."

Representative Peters then rose to speak in favor of the bill, stating:

"I know that Representative Narvaes has worked very diligently as a member of Finance. I know he is very concerned about housing in this State. He has done very well by way of trying to secure as much knowledge as possible in dealing with this question of housing. I have a lot of aloha and respect for him. However, Mr. Speaker, I think on this particular issue, because he has found that perhaps HHA may not have done the maximum amount of work in this area, he has aggressively gone after them which is all right too.

This bill, Mr. Speaker, as enumerated by the Chairman of Housing, deals with a very important issue to the State. That is by way of providing some means of making it equitable for the elderly of this State to be able to have a dwelling place at a reasonable cost.

Revenue bonds, Mr. Speaker, as you know, is basically a user bond. In other words, the user of a project, if it is a housing project where he expects

to move into that project, have to foot the whole bill. One hundred percent - that is their cost.

With this measure, Mr. Speaker, with the passage of this measure, HHA was tabbed with the responsibility of providing elderly housing to the people of this State. They would be able to secure Federal funds under Section 8, and at the end, the price to the consumer. . . the price to the elderly, will be that it comes up to 25 percent of the cost. In other words, if his monthly payment, or her monthly payment, is determined to be about \$100 a month, with this measure, by way of securing Federal monies, all that that elderly person would be required to pay is \$25 as opposed to \$100, and that is very important.

We can see where some of us may have questions about certain functions and mechanisms within this State, not doing what we expect them to do, or it to do, and become thoroughly blinded to a point where we miss sight of what we are supposed to be doing in this process.

It is right and it is important to the elderly of this State that this measure and this bill be passed, and I urge all my colleagues to vote 'aye' on this measure."

Representative Lunasco then rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill and to rebut some of the comments made by the previous speaker from Kalihi.

Mr. Speaker, I have sat here for sixty days and listened to the gentleman from Kalihi make attacks on the HHA, and yet does not make any concrete allegations, or mention names of whatever he wants to say on his attacks against the HHA.

Mr. Speaker, we have a job to do. If we are very sincere. . ."

At this point, Representative Narvaes interrupted on a point of order and stated:

"Mr. Speaker, was the speaker from across the way asking for concrete evidence? If he was, I will provide it."

The Chair replied:

"He is not asking for it at this time."

Directed by the Chair to "proceed",

Representative Lunasco continued his remarks, stating:

"Mr. Speaker, he has mentioned a lot of problems with the HHA. While I do not contend that he is wrong, Mr. Speaker, the problem still goes unsolved. We can grumble all day with the problems within the HHA, but yet, Mr. Speaker, the elderly who are waiting presently for housing are still going to wait, and I say, if we are very sincere about taking care of the elderly, let's cut out the bull and get down to the work."

Representative Kunimura then rose to speak in favor of the bill, stating:

"Just once more I would like to speak in support of this bill.

I do not know, Mr. Speaker, how we can make one understand what we are trying to do by giving the Hawaii Housing Authority and authority to the Governor the kind of flexibility that, should discretionary funds become available, and should Hawaii be blessed with additional allocation, that the provisions of this measure and the leeway of some \$10.5 million would be readily available to take care of the other seniors and elderly who need houses or housing.

I am at a loss, Mr. Speaker, and I would like to address again when accusation was made about some of the serious misgivings of the Hawaii Housing Authority, I believe on the floor of this house, I requested that the facts be brought out - brought to the floor, if necessary, but the gentleman refused to do it. He was given the opportunity, and these are the things, Mr. Speaker, and I would like to share with all the members of this House that House Bill 2618-78, HD 1, SD 2, CD 1, Mr. Speaker, when I got the word that this measure almost met the same fate as the athletic facilities at the University of Hawaii last year, I almost vomited. We still have someone fooling around, trying to take care of some architect friends, and that is a bullshirt. Damn it! And I thank God that this is 1978, that it is election; otherwise, the poor elderly would have been dangling like yo-yo's. I think the people of Hawaii should make people like that step forward. You know, we are trying to do a good job - only a few rotten apples would screw up the good apples.

Mr. Speaker, I tried not to, you know, say things like this this afternoon, but I talked with some of the people from the media and they know about it too. Only people that don't know are the honest guys around here, you know, trying to do our best, and then we find

out afterwards what the deal was.

Why? Why does a \$22.5 million appropriation go down to \$5 million when the basic needs. . . the amount that was already, you know, committed is way beyond \$5 million and is yo-yoing up and down. They want to fool around with the legislative appropriation and hold us hostage, or hold the other body hostage, we are playing with our yo-yo, but when you play yo-yo with the elderly of this State, I am pretty sure, and I am glad the good Lord said, retribution is reserved unto Him. Someday, maybe in November, the good Lord will speak.

Thank you."

Representative Uwaine then rose on a point of information and asked whether or not the Representative from Kalihi Valley would yield to a question, to which Representative Narvaes answered:

"Mr. Speaker, I would like to hear the question first."

Representative Uwaine asked:

Mr. Speaker, from comments that he has made, is it my understanding that he has names of the individuals who have done misdeeds?"

Representative Narvaes replied:

"Mr. Speaker, I re-introduced a resolution asking for an investigation of the Hawaii Housing Authority. Mr. Speaker, I don't know how many of you folks here have read that eight page resolution which kind of hints at what the past of the HHA is really like."

The Chair asked:

"Shall we proceed with the vote?"

Representative Uwaine then said:

"Mr. Speaker, I think this is very important. I just want to know if the speaker has names and proof of misdeeds as far as the Hawaii Housing Authority is concerned."

At this point, Representative Kamalii asked for a recess, and at 5:04 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 5:05 o'clock p.m., Representative Uwaine thanked the Chair.

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2618-78, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Narvaes voting no.

The Chair then made the following announcement:

"The Chair, at this time, would like to announce to the members that the Senate has informed the House that they are ready to adjourn sine die, and as Speaker of this House, the Chair has given consent to the adjournment of the Senate. The Senate has given consent to the House to adjourn at our will.

May we proceed?"

Conf. Com. Rep. No. 60 on H.B. No. 2173-78, HD 3, SD 3, CD 1 (Deferred from April 13, 1978):

Representative Kiyabu moved that the report of the Committee be adopted, and H.B. No. 2173-78, HD 3, SD 3, CD 1, having been read throughout, pass Final Reading, seconded by Representative Mina.

Representative Kiyabu then rose to speak in favor of House Bill No. 2173-78, HD 3, SD 3, CD 1, stating:

"Mr. Speaker, this bill is our Hawaii State Plan. Its presence before us today confirms the vision of the House when we created a Standing Committee on General Planning. It reflects a solid two years of work, study, and discussion by all of us. It represents the collective concern of the Legislature and the people of Hawaii about where this State is headed.

Mr. Speaker, in passing this bill, the State of Hawaii will once again lead the nation in pioneering and innovative legislation. We have been recognized for our progressive and far-reaching laws relating to worker's compensation, public employment collective bargaining, motor vehicle no-fault insurance, and others.

And we will again be looked upon as leaders, as we have become the first State in the nation to adopt a plan of this nature. Furthermore, we will be the only state in the nation that has established by our priority issues and has made

a commitment to follow a rational and systematic planning process to facilitate public decision making.

Few bills of this nature can be enacted without the support and involvement of a lot of people. This bill is no exception. The House leadership, the members of my Committee on State General Planning, and especially the staff corps and the conferees, who have worked so hard for eight long days - the support and patience of all of these people have been crucial to the development and adoption of the State Plan.

And now, Mr. Speaker, if I may - some of the highlights of the bill. It sets out goals, objectives, and policies for the State. What it amounts to is a commitment by us, the Legislature, to provide a better future for the people of Hawaii, and to address the problems most important to our people. In the priority directions, we establish unemployment as today's major problem. Through statements in this section of the bill, all State and county agencies will be required by law to address this concern in a coordinated fashion.

The most important thing this bill does, however, is set into law a planning process for the State. It requires the development of twelve functional plans - for transportation, housing, tourism, education, agriculture, and seven other areas - to be adopted by concurrent resolution by the Legislature. These operational plans, as well as budgetary and other decision-making processes, like land use decisions, are to conform to the goals, objectives, policies, and priority directions passed by law. A policy council is established to advise the Legislature on matters of statewide concern. It will consist of nine public members as well as county and State officials.

Once again, Mr. Speaker, I would like to thank everyone who has been involved in this bill. We've learned a lot. I think everyone will admit that we've had an outstanding education this session on planning, and I'm very grateful to you and my colleagues for all the help we've had. It is a major piece of legislation - one which makes a significant commitment to the people of Hawaii. Our adoption of House Bill No. 2173-78, HD 3, SD 3, CD 1, will mark a milestone in the history of Hawaii.

Thank you."

Representative Sutton then rose to speak in favor of the bill, with reser-

vations, stating:

"As you will recall, Mr. Speaker, I spoke against this House draft when it was passed here just a couple of weeks ago, and I did so because of my very grave concerns about the violation of the basic concept of home rule.

I am happy, Mr. Speaker, to say that in conference committee, some of these concerns were addressed and we have before us today a document that is much more realistic and I feel, workable, Mr. Speaker.

Its priority directions section has managed to give us some idea of what the future course of this great State of Hawaii shall be, and yet, has been more general so as to avoid what would have been inevitable conflicts of priorities.

Now, Mr. Speaker, the State functional plans will be passed by resolution which I suggested in my speech was a much needed change so that it would allow us the flexibility to make alterations between legislative sessions. We also have an annual report which will come to this Legislature and will give us exactly the same information that is given to the counties and from that, we can make additional changes.

Now, Mr. Speaker, the new policy council is now tailored to be more representative of the counties, as well as the general public, which we so often exclude. Now, with the safeguards, we can insure that the public members themselves can make decisions and recommendations relatively free of that insidious process of political intimidation.

Mr. Speaker, I am a little concerned, however, about the implementation section because I really think it leaves the counties in limbo. What's wrong is that the county general plans have to conform with the priority directions set forth in this bill.

Now, Mr. Speaker, the State, through the priority directions and functional plans, can impose amendments on to the county general plans that possibly might not be in the best interests of the counties and the people who live there. I think, however, that this section of the plan basically removes the decision-making process one level too high. That was my concern before, and it still is my concern.

The individual must have some degree of proximity to the decisions that are being made in government. We

must start to recognize that we fifty-one here - the twenty-five who have just adjourned in the Senate - are not the State of Hawaii. Many, many individuals - 875,000 of the State of Hawaii - and it is to them that we must look to get the proper input, because for us not to be governed by their wishes is to make us not representatives.

Now, I do appreciate the fact that the Conference Committee included the concept of adhering to the counties general plans as much as possible and to their unique needs. Unfortunately, the Committee did not go far enough to assure true home rule.

In any case, I commend the efforts of those in the House and Senate that served on this Committee, worked hard on possibly the most complex matter ever to come before this body, not just since statehood, but since we were a territory. I think it is so complex that I would have to commend each and every member for a magnificent job done in what I considered originally an impossible task.

Now, Mr. Speaker, I have one more concern. This concern is quite technical so if you would listen very carefully, Mr. Speaker. We must have, Mr. Speaker, a valid constitutional goal. We must have a goal that will be upheld as constitutional. Now, I am very concerned with Section 104. If everybody would please turn to Section 104, they can follow me. Now, Mr. Speaker, Section 104 has to do with population growth. Now, before I go on to population growth - the distribution of implementation actions on population growth - I would like to address your attention, if I may, to a county in Northern California - Marin County. This is what we at Stanford always say is the wrong side of the Bay.

Now, Mr. Speaker, this particular case is the case of Petaluma with the State of California. They had the same concept that we want to try to have; that is the plan of controlled growth. But they did it by means of the moratorium and they did it by reason of saying that what they wanted to do was not to limit in-migration per se, but to have a positive plan of controlled growth. Now, these are very, very sharp distinctions and the line is very, very close. I am just very much concerned with some of the language. If you will turn to page 66, item 4, this is under the concept of population growth: 'Seek to provide for adequate housing to meet the needs of Hawaii's people without encouraging an additional

influx of people.'

Now, the constitutional inhibition is that you don't show your hands. You don't telegraph on that. That's the thing you should keep silent. Then we go on and we see the same concept going into four or five other parts of this bill. For all intents and purposes, we have the tail wagging the dog. We have the cart before the horse, and we have violated the basic concept that made the Petaluma Plan valid.

Mr. Speaker, I do have a grave concern on this, but because of the fact that this bill has a severability clause which means that if any part is unconstitutional, then the rest can be kept intact and that one part that is unconstitutional can be removed. I have a hunch that somebody who wrote this up put Section 104 as the last page so that the Supreme Court could come along and say, you had not followed the inhibitions - the County of Maui and the Petaluma case. You have not worked a proposition where you have had a puristic control of growth, but you have shown a little bit of telegraph - we don't want people to come to Hawaii. However, if it is declared to violate the Constitution, we can have it separated. It is at the end of the bill and the rest of the bill would still make sense and would have validity.

Therefore, I would ask you, Mr. Speaker, and my colleagues to please vote 'aye' for this very complicated plan."

Representative Campbell then rose to speak in favor of the bill, stating:

"Mr. Speaker, I am in full support of the bill but before making any comments, I would like to join the previous speakers in commending the conferees for doing a very good job in spite of a very difficult assignment.

The previous speakers have dealt with the purpose of the bill and I need not touch on the purpose, save to say that this measure establishes a statewide planning process as a means towards setting a quality future for the State of Hawaii. Now, Mr. Speaker, this is commendable, but there is something missing. Where is the provision for a timetable?

When this document talks in terms of setting a quality future for the people of this State, it becomes much more meaningful when we ask the question - when? When will it happen? Let me

be a little more specific. Let's take the area of public safety as an example. Now, one of the main objectives of the State Plan is an assurance of public safety and adequate protection of life and property for all of our people. Now that objective is fine, but nowhere in the document could I find a provision for a timetable for reaching that objective.

Mr. Speaker and members of the House, what I am really trying to say is simply this: If a State government does not saddle itself with the responsibility of a reasonable timetable for achieving a substantial reduction in crime in the streets and organized crime, if we do not set a timetable for accomplishing quality education for the children of our State, and if we do not set a timetable for a substantial reduction in the cost of living and unemployment, then, Mr. Speaker, crime rates will continue to rise. The cost of living and unemployment will continue to rise, and the number of children finishing high school who cannot read and who cannot write, and can't do basic math, will continue to rise.

Mr. Speaker, all of these things will happen, as they have been happening in spite of the fact that every fiscal year there is a substantial increase in the amount of money set aside by this Legislature to address these problems.

Now, I think the structure of this State Plan has the mechanism to address the concern which I have just expressed, and I think the mechanism can be, and probably should be, the policy council which is provided for in this document and, Mr. Speaker, it is my hope that serious attention will be given to this concern at the earliest convenience of the soon to be established policy council.

With that concern, I urge my colleagues to support this bill.

Thank you."

Representative Carroll then rose to speak in favor of the bill, stating:

"Mr. Speaker, the State Constitution provides in Article V that the State shall have the power to conserve and develop its natural beauty, objects and places of historic or cultural interests, sightliness and physical good order and for that purpose, private property shall be subject to reasonable regulation.

Mr. Speaker, I would like to quote the text from the declaration of purpose. It states that, 'Inadequate controls

have caused many of Hawaii's limited and valuable lands to be used for purposes that may have a short-term gain to a few but result in long-term loss to the income and growth potential of our economy and, therefore, the Legislature finds that in order to preserve, protect and encourage the development of the lands in the State for those uses to which they are best suited for the public welfare that the power to zone should be exercised by the State.'

Now, Mr. Speaker, what I am reading from is not legislative intent with respect to the bill before us, but rather, from Act 187, which was passed in 1961, and that comment underlies the State land use law which, at that time, was the first in the history of the House wherein the State had made the provisions for statewide land use control.

Now, Mr. Speaker, for many years, we have watched our islands change under the pressures of the increased population, growing highways, and neighbor island expansion. I believe it is the responsibility of government to properly guide and control the powerful forces at work in our society. I have long been in favor of a strong central planning policy. I took great satisfaction when this State, through its efforts of bi-partisan action back in the years of 1960-1961, took the lead in our nation, implementing what is now our current State land use law. People with as diverse political philosophies as Hebden Porteus, Ward Russell, Tom Gill, I believe our Governor Ariyoshi, and I think even two members of the House, were involved in the creation of this historic law. Other states have followed in the direction, but I don't think that any state has come close to Hawaii as far as the approach and this increasingly complicated land use problem which we face.

Now, since the implementation of that existing land use law, I watched with growing concern, as time and time again, the intent of the law has simply been set aside. In many instances, I have watched abuse by local interests acting to the city councils, making inroad after inroad in the areas that have been reserved for agricultural or conservation purposes. Mechanisms such as 'spot zoning' have worked to the detriment of the people's interest, often leading to haphazard planning and eyesores upon our lands, and I have only to go to my own district to see this. As a long-time supporter of stronger statewide planning involvement, I have watched with some enthusiasm the growing favorable sentiment among my colleagues here with regard to this issue, and I am delighted to see this growing awareness that has

taken form in the bill before us today.

The questions we are involved with will not be answered at the county level. There is no doubt that we need county level input and, basically, I think this bill provides it. Today's problems require a comprehensive outlook on the part of government if we are to deal effectively with the broad ramifications of these problems.

Now, Mr. Speaker, on page 7 of this bill, it talks about community or social well-being and it states that this 'is a value that encompasses many things. In essence, it refers to healthy social, economic, and physical environments that benefit the community as a whole. A sense of social responsibility, of caring for others and for the well-being of our community and of participating in social and political life, are important aspects of this concept.' It further implies 'the aloha spirit - attitudes of tolerance, respect, cooperation and unselfish giving, within which Hawaii's society can progress.' Now, Mr. Speaker, I know those are words, and I know they have a broad range of meaning, but, Mr. Speaker, I think it is our responsibility to see that we translate these concepts and ideas into effective law.

Now, without this State Plan providing such guidelines, some decisions remain too large a task and too heavy a burden to be handled at the county levels and, as a result, no decision is made or the wrong decisions are made.

Now, too soon, we may be asked to decide the directions for assuring energy security for the State, a decision involving such alternatives as perhaps nuclear energy or conversion to coal. They are not simple. In either options, there are elements of dissatisfaction and emotionalism. It is no easy task for a free government to make decisions of this magnitude; yet, these types of decisions must be made.

A State Plan such as this gives us the ability to set priorities for development. In doing so, it gives us guidelines and criteria to help us through the decision-making process. This bill enables the State to establish a sense of direction for our future development and it ultimately means that when conflicts arise, decisions will be made under the consideration of a statewide viewpoint and not the parochial viewpoint that has been so pervasive in this State.

This bill under consideration here is a good bill. I am satisfied with

it even though I take exception to some of its provisions. It is not a complete bill by any means. I am a bit unhappy with the weak approach taken by the Conference Committee to clearly establish that statewide concerns must take precedence over all others. Without a strong statement of State control, a law such as this cannot stand against the powerful forces at work. We have here a solid attempt to give direction to the future of our State and at the same time, we must move to improve the mechanisms by which we face the decisions before us. This is a responsible effort. I applaud the courage of this Legislature for bringing it forth, and I would urge every member of this body to vote in favor of the bill.

Thank you."

Representative Abercrombie then rose to speak in favor of the bill, stating:

"Mr. Speaker, as a member of the Committee and as a member of the Water and Land Committee in 1975-1977 from which the idea for H.B. 2173-78 is drawn and then made manifest in our State General Plan Committee chaired by Mr. Kiyabu, as a member of all those committees and involved in those discussions, I wish to just discuss very briefly the motivating force that has involved me these years and is culminated in this document. I wish to speak very briefly, Mr. Speaker, on the overall thing.

Hawaii's people, as both individuals and groups, generally accept and live by a number of principles or values which are an integral part of the society. This concept is a unifying thing of the State Plan. I think it showed a good deal of foresight, a good deal of individual courage on the various members' part, as you will notice throughout this document, Mr. Speaker, the phrase, 'Hawaii's people.' All of our people in Hawaii are Hawaii's people, and as the gentleman from Waikiki just mentioned, there is a community and social well-being factor, a value that encompasses many things. The greater the number of activities and individuals and groups, the more complex government role becomes.

The function of government, however, is to assist citizens in attaining their goals. If there has been an underlying thing, one that is implicit and the explicit thing that has been stated in our bill, it has been that we are striving to include as many individuals and groups as we can in deciding their destinies in conjunction with the overall State good. I believe that many of the difficulties that we have faced in the past several years, as a result of the tremendous growth that has taken place on the newest of

all the United States, has occurred because we have not had such an opportunity and such a plan.

'Citizens. . . and I am quoting again, 'have a responsibility to work with their government to contribute to society's improvement. They must also conduct their activities within an agreed-upon legal system that protects human rights.' This moves both ways, Mr. Speaker, among our citizens.

I would refer then to the practical aspect of how we will embody this in Section 14: 'Objective and policies for facility systems - in general.' This planning, 'to achieve the general facility systems shall be the policy of the State', and the second one is, 'encourage flexible service delivery systems that can adapt to changing public demands and priorities.' That is the reason we have adopted the bill in its present form, rather I should say, Mr. Speaker, recommend it to the body that it be adopted in its present form. We were trying to encourage flexible delivery systems that can adapt to changing public demands and priorities.

The bill delineates very clearly the broad basis upon which the functional plans would be drawn. It is our duty and obligation as citizens and legislators to carry forward now on the mandate of this bill. It is my belief that we will do so. It is my belief that had we had such a plan that we would not have gone through the trauma that I have experienced individually in which the State is experiencing at this moment in connection with the patients at Hale Mohalu. We would not have found ourselves in circumstances in which we have this trying situation in which much grief and with great trepidation on the part of citizens of our State has taken place. I believe, had we had such a plan, under all the circumstances that I have just outlined that not only the patients, but every other citizen and/or individual and group, and all Hawaii's people, within the area of health, within the area of higher education, no matter what the area, would have benefitted.

Mr. Speaker, I would like to close my remarks by indicating, by way of example, what I believe to be essence of the values, the overall thing, as stated on page 5 of this bill, that 'Hawaii's people, as both individuals and groups, generally accept and live by a number of principles or values which are an integral part of society. This concept is the unifying theme of the State Plan.'

For me, individually, the lei that I wear today, the leis that were given to me, symbolizes much to me as this plan does the following: The leprosy patients at Kalaupapa and Hale Mohalu are loving, caring people; people who have suffered the trials of Job and ask for only simple justice; they who have had so little have always shared what they had. The patients ask only to share the land with the community as they have done for 29 years. They wish only to continue that relationship of some three decades standing. While they desire no more, they will accept no less. The years of quiet acceptance of abuse and neglect of their rights as human beings first and patients second is over. Quiet determination to secure those rights even to arrest and death is now here. Here is this place of aloha, upon the land which adopted Damien as its own where terror and torment will never be forgotten but never allowed to occur again. Here will a stand be taken. There is a moral force here whose appeal is to the souls of mankind and thus made universal. The humiliation and suffering, as has been the necessary angle on which they struck the hammer of moral sensibility. Who then claims this land from them? Let him step forward in shame and confront the iron will of God's own innocence. How can one assess and measure the strength of the helpless? How can one gauge the limitless beauty of the disfigured and the diseased? How can one withstand the fathomless courage of the weak?

The patients' cause is a test of values - test of the values as outlined in this plan. It is a reflection of our character as a human community as this plan is. If this plan is put forward in good faith and adopted in good faith and acted on in good faith, then we will never have this kind of situation occur again in this State. This plan can only give us the opportunity to carry out in all respects, whether in land, or water, air, pollution, and in the fundamental values that we pass on to the children of this State and the children to come, as a result of the passage of this bill. All of that. . . all of the words in this bill will mean nothing if we do not take this opportunity and develop the kind of community input that this bill allows us to have for the first time in any state of the union. If this happens, this kind of circumstance will never occur again and we can be proud of what we had before us today and the opportunity before us today which we took.

Thank you."

Representative Cayetano then rose to speak in favor of the bill, stating:

"Mr. Speaker, the passage of the State Plan by this House is a significant step for the management of those forces which affect the quality of life in our State. I wish to offer my personal congratulations, Mr. Speaker, to the Chairman of the Committee and to his hardworking staff for the many hours and hard work they put into this major undertaking. I would also like to thank the Chairman for allowing me the privilege of sitting as one of the conferees to the conference on this very historic document. The State Plan was a challenge that anyone of us here would have welcomed and the Chairman did a tremendous job. I feel a sense of personal happiness for him and I wish him well.

Although, Mr. Speaker, I am proud we are on the verge of passing a State Plan, I am also a bit worried because the enactment of this plan into law will not allow future legislatures the luxury of dealing with transportation issues as it has done so in the past. Having had the privilege to serve as the Chairman of the Energy and Transportation Committee for the past four years, I believe I have become very familiar with some of the problems we face in our attempts to make decisions on transportation issues. This is my final year in the House and I want to discuss some of the problems we face with members here today. At least, for the record, with the hope that some of them may be avoided in the future, I believe it is important that we are reminded what these problems are because when the members of this House, and I assume most of you will be re-elected and will be back next year, are faced with the decision of approving the State functional plan on transportation as they must under this bill, they are going to be faced with making some hard decisions relating to transportation - decisions which, I might remind you, were unpopular with some groups; perhaps many, no matter what is decided.

Mr. Speaker, I am concerned with two major problems which have plagued this House and my Committee in the past. First, the role of the bureaucracy in disseminating the information to us which is necessary for reasonable decision making; and second, the role of politics in our decision-making process.

Ideally, Mr. Speaker, the role of the bureaucrat or the technician is to provide us with objective information

on programs or projects which are before us for consideration. Again, ideally, the bureaucrat should present us with information which deals with the pros and cons of a project because it is only with full knowledge of such information that we can make rational decisions and properly do the people's business.

After four years in this body, I find that the reality of the matter is that the bureaucracy is fast becoming a major lobby for whatever programs or projects they believe are good for the people. Hence, we often find that the information we received is biased to one point of view, a situation which is dangerous in an area such as transportation with the programs and even single projects running into the hundreds and millions of dollars. I do not intend to cast any evil aspersions on anyone because I think what has happened with the bureaucracy is a natural process and I think it is happening because we allow it to happen. It happens by omission. It happens by commission. It happens because your bureaucrats substitute and sells for us in making judgments of what they believe are good for the people.

Specifically, the example of the Barber's Point Deep Draft Harbor is an example of the kind of blind faith that we legislators have put into the bureaucracy. To this day, I cannot understand how that project got on the books without any kind of presentation or projection of operating and maintenance costs, but it has happened and it is on the books. We cannot allow this kind of thing to happen, especially when, as required by the State Plan, the Legislature will be approving the State functional plan. Inclusion of any transportation projects into the functional plan, Mr. Speaker, will be tantamount to virtually guaranteeing, in my view, that such a project will eventually be both.

There will be less room for error under the State Plan, less room for politics to play a role in our decisions. To avoid these problems, we should demand objective information from the bureaucrats and we should take steps to insure that we are getting it. I suggest for openers that we have more of the kinds of seminars we had on mass transit in late January.

I suggest also that we take a hard look at the way our consultants are selected to insure that the information or reports that the Transportation Committee will be receiving in the future, with respect to projects which it would be considering for inclusion into the functional plan, are justified on the basis of objective and useful information conducive to

legislative decision making. We do not need consultant's reports which are self-fulfilling prophecies.

The second major problem which has plagued us is the undue weight we give to input by special interest groups and this is what I am referring to when I say politics have been a problem. I recognize that special interest groups are an important part of our democratic process, that a student actually need not be a student of political science to know that. As Chairman of a committee, however, after four years, I come away with a feeling of dismay when I realize how much influence some of these groups have on our decision making. Let me give you some examples.

In 1976, when the Committee on Transportation proposed a vehicle weight tax, the special interest group fought that to the nail and finally in 1977, we had the vehicle weight tax come into law. Those special interest groups which were so afraid of the economic interest being hurt are still around. They have never been hurt.

In 1977, when the Committee on Transportation attempted to review the Barber's Point Deep Draft Harbor, it caused a major disruption in this House and that was caused again by input by special interest group. Well, in 1978, we have reviewed the harbor. That project has not been endangered. We are just trying to make common sense out of the reasons that were given for the justification of that project.

Finally, Mr. Speaker, in 1978, your Committee on Energy and Transportation passed a which would have withdrawn State support of the fixed guideway proposal which we know as the Honolulu Area Rapid Transit System called HART. This decision did not come lightly on my part. It came only after the detailed examinations, continued hearings, and an investigation of the reasons which were put forth as a justification for the system. But we did come to a decision and the resolution passed - 45 to 4. I was a bit distressed to find, Mr. Speaker, at a later time, that this resolution will not see the light of day because, again, of pressures from special interest groups. Mr. Speaker, we must put input by these special interest groups in its proper perspective.

Under the State Plan, we will

not have the luxury of making major decisions on transportation on an off-year election basis.

The State Plan, Mr. Speaker, is a wonderful great event. I am extremely proud to have been a part in making it happen, but with the passing of this plan, the burden of our duty becomes greater. We have to decide issues on the merit and put politics in its proper perspective. If we want to make the State Plan work, then we must re-examine some of the ways we have made decisions in the past and we had better take steps to remind ourselves that we are here to do the people's business; no one else's."

Representative Kunimura then rose and stated:

"Mr. Speaker, I rise to speak in favor of this measure and in doing so, if I may request that the statements made by the previous speaker be incorporated as part of my support for this bill by reference. (The Chair "so ordered.")

Mr. Speaker, I would like to share very much with members of the House that all of the years I have spent here, whenever and after an election, maybe because of my human nature looking about me, see so many new faces and every year getting younger and younger that I felt that, gee whiz, what's happening, and I had the cold chill to see that this House is going to be led as far as the plans of concern for this State by a very young person that I did not know his background and then we had Ocean and Marine by another young person, and we have had many, many young people come here. Now, I am totally devoid of my fears that Hawaii is a special place because we have special people and especially young people. I fought with all my heart and all the strength I had in changing the House Rules when Mr. Uechi insisted on openness, prior concurrence. Today, I support it with all my heart and all my strength and I want to pay a special tribute to this young man who comes from Kaimuki that although I had doubts in his ability, I want to say, for the record, that he has led us with the kind of dedication that an old sod buster like me would follow him to the end of the Earth. He has worked hard on this plan, as far back as the summer when we had our conference in Kona and the interim period. Mr. Speaker, I thank you also for being so generous to allow the House Committee on State General Plans to expend the time and the amounts of money to hold the interim committees so we were well prepared. Our House is a special House because when we feel that there are special problems to be dealt with, we

are not afraid to create a new committee to deal with that special problem with a brand new reorganization.

Mr. Speaker, the Chairman of this Committee have not only worked hard, but during the conference committee, has given everything - lack of sleep, and especially his staff worked almost around the clock, but one thing that was sorely lacking - this product is the product of county, administration and legislative efforts. We had planning directors from Hawaii county, Kauai county and Maui county. They had to get on the airplane and fly over here and spend nights with us, but the biggest county that has its offices almost across the street from Punchbowl was very glaringly noticeably absent and I am pretty sure, I hate to sound like this, but I am pretty sure they were wishing that this Legislature would fumble the ball and crack all the eggs.

Now we have the State Plan before us and in a few minutes we will be adopting this. I hope that he will keep his peace as far as the State Plan is concerned, because he chose not to participate by not ordering the people from his administration to participate in the closing hours of putting this together, and I would like the people of the State of Hawaii to know what kind of administration resides across the street. Certainly, in the state of this State message by our Governor, this has been his big priority, and I would like to see, not because of the Governor's state of the State, but in the democracy, things happen when people want things to happen. This is long overdue, but if we proposed this ten years ago, we would have been laughed out of the chambers, but things will happen when the people want it to happen and now it is going to happen in a few minutes.

Mr. Speaker, I thank all of the members on the committee, conference committee, and the House Committee on Plans and all the members of this House for being patient. This conference draft before us is the product of your patience and your understanding because this is the product that has passed the deadline, and I want to thank each and every one of you for giving us this opportunity by extending the deadline so that we may enact it into law, and to you, Mr. Kiyabu, God bless you."

The motion was put by the Chair and carried, and the report of the Committee was adopted, and H.B.

No. 2173-78, HD 3, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING", having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Caldito and Ueoka voting no.

The Chair directed the Clerk to note that H.B. No. 2618-78 had passed Final Reading at 5:07 o'clock p.m. and H.B. No. 2173-78 had passed Final Reading at 5:56 o'clock p.m.

The Chair, at this time, recognized the Chief Justice of the Supreme Court, the Honorable William Richardson, "a very distinguished individual amongst us who is presently watching the activities on this floor."

DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 559, as amended by the Senate, was taken from the Clerk's desk.

Representative Stanley moved that the House agree to the amendments proposed by the Senate in H.B. No. 559, SD 1, seconded by Representative Suwa and carried.

Representative Stanley then moved that H.B. No. 559, SD 1, having been read throughout, pass Final Reading, seconded by Representative Suwa.

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

"Mr. Speaker, I would like to address the point again on this floor. It hadn't been two weeks since we talked about extending the 25-year provision to the sewer workers because they were in a dangerous occupation and had to be rewarded by special means in retirement. Now, again at that point, that was a 50 to 1 vote. At that point, I was made aware that under very specific circumstances, we have a mechanism here for rewarding people for special effort, special danger and special adverse condition was the rationale.

In this case now, we are talking about. . . I am sure the rationale would be equity. We are extending this on to the State fireworkers who are on the Abner Longley, the fire boat in Honolulu Harbor. In this case, I don't believe you can say it is a dangerous job. I think you will say they are in a certain category and, therefore, are subject to the same provisions that the other fireworkers in the State who do have dangerous work. The Abner Longley, as far as I know, does not

have firefighting problems. I recall in 1929, when I was a little boy, there was a fire in Honolulu Harbor and the S.S. Honolulu burned and it was quite a disaster. I don't know of any fire down there since then. There may have been some, but the rationale for keeping the fire boat there is that we have a better insurance ratio by that firefighting mechanism in the harbor. To me, the idea of a rationale for keeping a fire mechanism is not one that involves danger. It is a small group of people so they don't cost very much.

My objection to using this mechanism within our State government is that it increases the cost of our government in a dramatic and geometric portion. We have already heard and have gotten pressure on how to help the Department of Transportation straighten out the problem of some dead wood. The way we straighten out that problem is to let them retire early - 25 years and out. I have heard these arguments. I have heard people talk to me about it. I would like to warn this body about this 25 year and out mechanism for any government employee. Private industry cannot afford it, but for government employees, it has been offered as a mechanism for reward, for benefit, for dangers and obnoxious activities. It is now spreading out.

Kam Tet, before he retired here, gave us a glimpse of the cost of this 25 year and out provision applied to the Department of Education and other State agencies that would run \$25 million a year.

I would like to say to this body and to you, Mr. Speaker, that this is a very expensive type of benefit to start putting out on to the workers that are working for the State and county. Therefore, on this basis, I would vote 'no' on this and urge other members to vote 'no'.

Thank you."

The motion was put by the Chair and carried, and H.B. No. 559, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREFIGHTER'S PENSIONS", having been read throughout, passed Final Reading by a vote of 47 ayes to 4 noes, with Representatives Abercrombie, Cayetano, Cobb and Larsen voting no.

The Chair directed the Clerk to note that H.B. No. 559 had passed Final Reading at 6:04 o'clock p.m.

At 6:05 o'clock p.m., on request by Representative D. Yamada, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:09 o'clock p.m.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 494 to 630) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 494) returning House Bill No. 225, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 495) returning House Bill No. 704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 496) returning House Bill No. 939, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 497) returning House Bill No. 1066, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 498) returning House Bill No. 1539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL SURETIES", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 499) returning House Bill No. 1769-78, 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", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 500) returning House Bill No. 1877-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES AND PROCEDURE ON ARREST, INTERPRETA-

TION AND SEVERABILITY IN THE STATEWIDE TRAFFIC CODE", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 501) returning House Bill No. 1878-78, entitled: "A BILL FOR AN ACT RELATING TO NOTICE IN GUARDIANSHIP OF THE PERSON PROCEEDINGS", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 502) returning House Bill No. 1881-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUITS BY AND AGAINST THE STATE AND CONFERRING JURISDICTION UPON DISTRICT COURTS IN SAID SUITS", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 503) returning House Bill No. 1882-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS ELIGIBLE FOR APPOINTMENT AS GUARDIAN OF THE PERSON OF MINORS AND INCAPACITATED PERSONS", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 504) returning House Bill No. 1907-78, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXES", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 505) returning House Bill No. 1948-78, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORDS", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 506) returning House Bill No. 1949-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 507) returning House Bill No. 1963-78, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 508) returning House

Bill No. 1970-78, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICE AS A SENTENCING ALTERNATIVE", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 509) returning House Bill No. 2105-78, entitled: "A BILL FOR AN ACT RELATING TO PROOF OF FINANCIAL RESPONSIBILITY REQUIRED UPON CONVICTION OF CERTAIN OFFENSES", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 510) returning House Bill No. 2114-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 511) returning House Bill No. 2123-78, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PHYSICIAN PROGRAM", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 512) returning House Bill No. 2171-78, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 513) returning House Bill No. 2191-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF TAXES", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 514) returning House Bill No. 2192-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMOBILE NO-FAULT INSURANCE", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 515) returning House Bill No. 2242-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY FOR THEFT BY SHOPLIFTING", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 516) returning House Bill No. 2252-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS", which passed Third Reading in the Senate on April

13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 517) returning House Bill No. 2303-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 518) returning House Bill No. 2305-78, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR CREDIT CARD OFFENSES", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 519) returning House Bill No. 2306-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COSTS OF COURT ORDERS", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 520) returning House Bill No. 2385-78, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EXAMINERS IN NATURO-PATHY", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 521) returning House Bill No. 2388-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF PODIATRY", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 522) returning House Bill No. 2394-78, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 523) returning House Bill No. 2400-78, entitled: "A BILL FOR AN ACT RELATING TO THE CHARGES COLLECTIBLE BY INDUSTRIAL LOAN COMPANIES", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 524) returning House Bill No. 2402-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate

(Sen. Com. No. 525) returning House Bill No. 2432-78, entitled: "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF PROPERTY AND CHOSES IN ACTION", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 526) returning House Bill No. 2434-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC EAVESDROPPING", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 527) returning House Bill No. 2478-78, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE REPAIR AND MAINTENANCE OF PUBLIC FACILITIES AND MAKING APPROPRIATIONS THEREFOR", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 528) returning House Bill No. 2612-78, entitled: "A BILL FOR AN ACT RELATING TO BANKING", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 529) returning House Bill No. 2693-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTE REVISION AND PUBLICATION", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 530) returning House Bill No. 2784-78, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LIMITED PARTNERSHIP ACT, CHAPTER 425, HAWAII REVISED STATUTES", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 531) returning House Bill No. 2814-78, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 532) returning House Bill No. 2845-78, entitled: "A BILL FOR AN ACT RELATING TO STATE LAW ENFORCEMENT", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 533) returning House Bill No. 3047-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY", which passed

Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 534) returning House Bill No. 3054-78, entitled: "A BILL FOR AN ACT RELATING TO VESSELS OR PROPERTY TAKEN INTO LEGAL CUSTODY AND PROHIBITING UNAUTHORIZED CONTROL THEREOF", which passed Third Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 535) returning House Bill No. 3059-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND FIRE PROTECTION", which passed Third Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 536) returning House Concurrent Resolution No. 8, HD 1, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 537) returning House Concurrent Resolution No. 10, HD 1, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 538) returning House Concurrent Resolution No. 20, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 539) returning House Concurrent Resolution No. 26, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 540) returning House Concurrent Resolution No. 27, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 541) returning House Concurrent Resolution No. 28, HD 1, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 542) returning House Concurrent Resolution No. 30, HD 1, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 543) returning House Concurrent Resolution No. 33, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate

(Sen. Com. No. 544) returning House Concurrent Resolution No. 35, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 545) returning House Concurrent Resolution No. 46, HD 1, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 546) returning House Concurrent Resolution No. 66, HD 1, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 547) returning House Concurrent Resolution No. 69, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 548) returning House Concurrent Resolution No. 76, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 549) returning House Concurrent Resolution No. 83, HD 1, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 550) returning House Concurrent Resolution No. 87, HD 1, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 551) returning House Concurrent Resolution No. 88, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 552) returning House Concurrent Resolution No. 92, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 553) returning House Concurrent Resolution No. 93, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 554) returning House Concurrent Resolution No. 95, HD 1, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 555) returning House Concurrent Resolution No. 99, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 556) returning House Concurrent Resolution No. 107, HD 2, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 557) returning House Concurrent Resolution No. 110, which was adopted by the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 558) returning House Concurrent Resolution No. 121, HD 1, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 559) returning House Concurrent Resolution No. 126, HD 1, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 560) returning House Concurrent Resolution No. 127, HD 1, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 561) returning House Concurrent Resolution No. 129, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 562) returning House Concurrent Resolution No. 139, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 563) returning House Concurrent Resolution No. 149, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 564) returning House Concurrent Resolution No. 150, which was adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 565) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 51 were agreed to by the Senate, and said Concurrent Resolution, as thus amended, was Finally Adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 566) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 53 were agreed to by

the Senate, and said Concurrent Resolution, as thus amended, was Finally Adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 567) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 64 were agreed to by the Senate, and said Concurrent Resolution, as thus amended, was Finally Adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 568) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 65, SD 1, were agreed to by the Senate, and said Concurrent Resolution, as thus amended, was Finally Adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 569) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 78, SD 1, were agreed to by the Senate, and said Concurrent Resolution, as thus amended, was Finally Adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 570) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 99 were agreed to by the Senate, and said Concurrent Resolution, as thus amended, was Finally Adopted by the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 571) informing the House that the amendments proposed by the House to Senate Bill No. 350, SD 2, were agreed to by the Senate, and said bill, as thus amended, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 572) informing the House that the amendments proposed by the House to Senate Bill No. 2620-78, SD 2, were agreed to by the Senate, and said bill, as thus amended, passed Final Reading in the Senate on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 573) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 227, was adopted by the Senate; and House Bill No. 227,

SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 574) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 425, HD 1, was adopted by the Senate; and House Bill No. 425, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 575) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 429, was adopted by the Senate; and House Bill No. 429, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 576) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 490, HD 2, was adopted by the Senate; and House Bill No. 490, HD 2, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 577) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 491, HD 1, was adopted by the Senate; and House Bill No. 491, HD 2, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 578) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 514, was adopted by the Senate; and House Bill No. 514, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 579) informing the House that the report of the

Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 992, was adopted by the Senate; and House Bill No. 992, SD 2, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 580) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1779-78, HD 1, was adopted by the Senate; and House Bill No. 1779-78, HD 1, SD 2, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 581) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1803-78, HD 2, was adopted by the Senate; and House Bill No. 1803-78, HD 2, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 582) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1838-78, HD 2, was adopted by the Senate; and House Bill No. 1838-78, HD 2, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 583) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1879-78, HD 1, was adopted by the Senate; and House Bill No. 1879-78, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 584) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1885-78, HD 2, was adopted by the Senate; and House Bill No. 1885-78, HD 2, SD 2, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 585) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1920-78, was adopted by the Senate; and House Bill No. 1920-

13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 598) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2319-78, HD 1, was adopted by the Senate; and House Bill No. 2319-78, HD 1, SD 2, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 599) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2403-78, HD 1, was adopted by the Senate; and House Bill No. 2403-78, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 600) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2611-78, HD 1, was adopted by the Senate; and House Bill No. 2611-78, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 601) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2618-78, HD 1, was adopted by the Senate; and House Bill No. 2618-78, HD 1, SD 2, CD 1, passed Final Reading in the Senate on April 14, 1978, by not less than two-thirds vote of all the members to which the Senate is entitled, was placed on file.

A communication from the Senate (Sen. Com. No. 602) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2689-78, HD 1, was adopted by the Senate; and House Bill No. 2689-78, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 603) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill

No. 2756-78, was adopted by the Senate; and House Bill No. 2756-78, SD 2, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 604) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2764-78, HD 2, was adopted by the Senate; and House Bill No. 2764-78, HD 2, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 605) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2827-78, HD 2, was adopted by the Senate; and House Bill No. 2827-78, HD 2, SD 2, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 606) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2850-78, HD 1, was adopted by the Senate; and House Bill No. 2850-78, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 607) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2895-78, HD 1, was adopted by the Senate; and House Bill No. 2895-78, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 608) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3039-78, HD 1, was adopted by the Senate; and House Bill No. 3039-78, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, by not less than two-thirds vote of all the members to which the Senate is entitled, was placed on file.

A communication from the Senate (Sen. Com. No. 609) informing the

House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3046-78; was adopted by the Senate; and House Bill No. 3046-78, SD 2, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 610) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3049-78, HD 1, was adopted by the Senate; and House Bill No. 3049-78, HD 1, SD 2, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 611) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3060-78, was adopted by the Senate; and House Bill No. 3060-78, SD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 612) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 782, SD 1, was adopted by the Senate; and Senate Bill No. 782, SD 1, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 613) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 893, SD 2, was adopted by the Senate; and Senate Bill No. 893, SD 2, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 614) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1622-78, SD 1, was adopted by the Senate; and Senate Bill No. 1622-78, SD 1, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 615) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1643-78, was adopted by the Senate; and Senate Bill No. 1643-78, HD 2, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 616) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1820-78, SD 2, was adopted by the Senate; and Senate Bill No. 1820-78, SD 2, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 617) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2005-78, SD 1, was adopted by the Senate; and Senate Bill No. 2005-78, SD 1, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 618) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2114-78 was adopted by the Senate; and Senate Bill No. 2114-78, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 619) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2202-78, SD 1, was adopted by the Senate; and Senate Bill No. 2202-78, SD 1, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, by not less than two-thirds vote of all the members to which the Senate is entitled, was placed on file.

A communication from the Senate (Sen. Com. No. 620) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2332-78, SD 1, was adopted by the Senate; and Senate Bill No. 2332-78, SD 1, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen.

Com. No. 621) informing the House that the report of the Committee on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2386-78, SD 2, was adopted by the Senate; and Senate Bill No. 2386-78, SD 2, HD 2, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 622) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2436-78, was adopted by the Senate; and Senate Bill No. 2436-78, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 623) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2464-78, SD 2, was adopted by the Senate; and Senate Bill No. 2464-78, SD 2, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 624) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2523-78, SD 2, was adopted by the Senate; and Senate Bill No. 2523-78, SD 2, HD 2, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 625) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2581-78, SD 2, was adopted by the Senate; and Senate Bill No. 2581-78, SD 2, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 626) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2595-78, SD 1, was adopted by the Senate; and Senate Bill No. 2595-78, SD 1, HD 1, CD 1, passed Final Reading in the Senate on April 13, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 627) informing the House that the President has discharged the managers on the part of the Senate to House Bill No. 1876-78, SD 1, on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 628) informing the House that the President has discharged the managers on the part of the Senate to House Bill No. 2095-78, HD 1, SD 1, on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 629) informing the House that the President has discharged the managers on the part of the Senate to House Bill No. 2687-78, HD 1, SD 1, on April 14, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 630) informing the House that the President has discharged the managers on the part of the Senate to House Bill No. 3011-78, HD 1, SD 1, on April 14, 1978, was placed on file.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

House Concurrent Resolution No. 44, HD 1, SD 1:

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 44, HD 1, and H.C.R. No. 44, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE CONTINUATION OF THE 'FOLLOW THROUGH' PROGRAM", was Finally adopted.

House Concurrent Resolution No. 113, SD 1:

On motion by Representative Ushijima, seconded by Representative Abercrombie and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 113, and H.C.R. No. 113, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF HEALTH, EDUCATION AND WELFARE TO CONTINUE SUPPORT OF THE UNIVERSITY OF HAWAII TEACHER CORPS IN-SERVICE TRAINING PROGRAM IN THE 13TH CYCLE TEACHER CORPS PROJECT-1978", was Finally adopted.

House Bill No. 64, HD 1:

On motion by Representative Naito, seconded by Representative Ueoka and

carried, H.B. No. 64, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE CORRECTIONS", having been read throughout, passed Final Reading by a vote of 51 ayes, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

House Bill No. 599, HD 1:

On motion by Representative Segawa, seconded by Representative Takamine and carried, H.B. No. 599, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE", having been read throughout, passed Final Reading by a vote of 51 ayes, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

House Bill No. 645, HD 1:

Representative Takamine moved that H.B. No. 645, HD 1, having been read throughout, pass Final Reading, seconded by Representative Peters.

Representative Sutton then rose and said:

"I have no Hawaiian in me, sir."

The Chair replied:

"Thank goodness!"

Representative Sutton then asked whether or not the Chairman would yield to a question to which Representative Takamine answered in the affirmative.

Representative Sutton asked:

"Mr. Speaker, the basic concept here is that any TDI plan or collective bargaining agreement continuing in effect on January 1, 1970 may be extended by agreement or collective bargaining so long as the benefits thereunder are found by the Director of Labor and Industrial Relations to be at least as favorable as those required by Chapter 392.

Would you tell me when you say at least as favorable, whether or not you have any cost of index or inflationary concept embodied therein?"

At 6:14 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 6:16 o'clock p.m., Representative Takamine replied:

"The purpose of this bill is to require all plans which entitle employees to

temporary disability benefits whether the plan is extended or modified by collective bargaining agreements to be at least favorable as the benefits required by Chapter 392. That's temporary disability insurance."

Representative Sutton then said:

"Mr. Speaker, that answers my question, and would you please be kind enough to thank that gentleman very much."

The Chair remarked:

"You said it yourself."

The motion was put by the Chair and carried, and H.B. No. 645, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", having been read throughout, passed Final Reading by a vote of 51 ayes, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

House Bill No. 1430:

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, H.B. No. 1430, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL APPEALS", having been read throughout, passed Final Reading by a vote of 46 ayes to 5 noes, with Representatives Abercrombie, Ajifu, Evans, Ikeda and Kamalii voting no, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

The Chair directed the Clerk to note that H.B. No. 64 had passed Final Reading at 6:10 o'clock p.m.; H.B. No. 599 at 6:11 o'clock p.m.; H.B. No. 645 at 6:17 o'clock p.m.; and H.B. No. 1430 at 6:18 o'clock p.m.

Conf. Com. Rep. No. 23 on H.B. No. 1939-78, HD 1, SD 1, CD 1; Conf. Com. Rep. No. 43 on H.B. No. 1938-78, HD 1, SD 1, CD 1; and Conf. Com. Rep. No. 45 on H.B. No. 1937-78, HD 1, SD 1, CD 1:

Representative D. Yamada rose and stated:

"Mr. Speaker, may I request that these three bills just remain on the calendar until adjournment, the reason being that. . . Mr. Speaker, these three bills deal with public utilities. These bills were disagreed upon by the House and your conference committees did meet with the Senate on these three bills and an agreement was reached, the committee reports were prepared and signed by both the Senate and the House, and decked

in both Houses.

Mr. Speaker, I am making this request because I feel that these three bills will just remain on the calendar, at least to show the Senate that the House does intend to fulfill its commitments on any conference drafts rather than recommit them like the Senate did."

The Chair, noting that there were no objections, "so ordered."

DISPOSITION OF MATTERS
PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 225 was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Suwa and carried, H.B. No. 225, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", having been read throughout, passed Final Reading by a vote of 51 ayes, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

By unanimous consent, H.B. No. 1066 was taken from the Clerk's desk.

On motion by Representative Takamine, seconded by Representative Peters and carried, H.B. No. 1066, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Final Reading by a vote of 51 ayes, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

The Chair directed the Clerk to note that H.B. Nos. 225 and 1066 had passed Final Reading at 6:20 o'clock p.m.

At 6:21 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.

Representative Poepoe then rose to extend birthday greetings to Representative Medeiros, stating:

"Mr. Speaker, the young man that I am going to introduce this afternoon, or evening, I met back in 1966 when he was running for the City Council, and over the twelve years that I have known him, I have changed him in two significant ways. The first way, I advised him to run for the State House rather

than the City Council, and the second way, Mr. Speaker, he got religion and was advised to change to a Republican from a Democrat and, Mr. Speaker, in that district, I am one up on you.

He is celebrating his 41st birthday. He is my running mate from Kailua - the 25th district. He is just about the best running mate you can have. He does his homework, works hard, keeps in shape now by jogging and a little shadow boxing. Be careful, he is going into this election with, I believe, eight years under his belt. He is 41 years of age, as I recall, as of today."

Representative Poepoe then wished Representative Medeiros a "Happy Birthday".

Representative Medeiros responded, saying:

"Mr. Speaker, thank you for making me 41 and I will be 39 next year."

Representative Poepoe then introduced Mrs. Gloria Medeiros, wife of the honoree, who was seated in the gallery.

Representative Medeiros, on a point of order, said:

"Mr. Speaker, that is 'speaker' of my house."

The Chair remarked:

"We all have such 'speakers'."

Representatives Evans and Ikeda then presented Representative Medeiros with red carnation leis.

At this time, Representative Kunimura requested that the Clerk read a resolution honoring all those Representatives who do not have birthdays during session, whereupon the Clerk read the resolution.

The Chair then stated:

"The Chair, at this time, will entertain any declarations, any announcements or any messages that any one of you wish to deliver to this House."

Representative Lunasco then rose and stated:

"Mr. Speaker, we have gone through sixty days and I don't want to be subjected to mental cruelty. I hope that we will adjourn the session and go home."

Representative Abercrombie then rose and stated:

"Mr. Speaker, I have nothing further to say."

The Chair remarked:

"The Chair only wishes that Representative Abercrombie would have said that on the very first day."

Representative Ajifu then rose and stated:

"Mr. Speaker, members of the House, on this final day of the 1978 session, I would like to note that the Republican caucus is pleased that there has been much better cooperation this year between the Democrats and Republican leaders in the House. We have experienced more openness, and tolerance, and debate on this floor. The Republican leadership has tried to act responsibly in its dealings with the Majority leaders and we feel that the actions of the House Republicans, both in the chamber and in committees, have gained the respect from our Majority colleagues. Despite our small number, we have worked to gain fair treatment by the Majority, to hear the Minority's point of view, and we have managed to maintain our adversary role.

I can remember the years when there was so much discrimination against House Republicans that even floor debate was restricted. Even if Ike Sutton wanted to speak longer than ten minutes, he couldn't because we weren't allowed to yield our time. This kind of treatment is diminishing because of the new spirit of cooperation which has developed between the Majority and Minority leadership. This is a hard balance to strike for we Republicans because we consider our adversary role so important.

I believe that what makes the difference these days is that the public is watching more closely how fairly the leadership handles legislative sessions and with the help of the public watching in the gallery, and with the news media ever present, we have seen a growing maturity in the House leadership as well as more patience in our Minority caucus.

In the 1978 legislative session, we have seen Republican bills passed - something that is very unusual for a smaller group of ten Minority members. We passed a bill introduced by Representative Donna Ikeda which addresses a continuing problem of harassment among tourists and residents. We passed a bill by Repre-

sentative John Medeiros to continue the adult school monitoring program. We passed a number of substantive House resolutions authored by Republicans, and we feel that this will have a definite impact in various State programs and agencies. Bills on the State Crime Commission and the Hawaii State Plan which were passed on the Democratic signatures were either originated by or had many major input from House Republicans. It is a beginning. We look forward to a better cooperation and fair treatment of Republic measures in the future, and we feel confident that this will come about with more enlightened leadership.

As we move towards adjournment of this 1978 session, I look upon the legislative activities as remarkable, not for what was accomplished, but for what was not accomplished. From my perspective, it may be a session remembered more for things left undone, questions unanswered, challenges unmet. With the continued census taken by House Republicans, a few controversial issues were challenged on this floor in an effort to open up more issues for public discussion. Yet, this Legislature has failed to pass a mandatory sentencing bill that would have helped stem the rising crime rate in this State. It failed to pass the death penalty bill although, with pressure from the House Republicans, the bill received a hearing in the Committee, and it failed to pass a tougher pornography law, leaving our county prosecutors with the present statutes still open to court challenges.

Giving credit where credit is due, I would like to commend the passage of House Bill No. 2173-78, HD 3, SD 3, CD 1, creating the first State Plan of the nation. I am happy that many of the Republicans' proposals for development of the final plan are reflected in the draft that we have adopted.

With this in mind, I bid you all aloha for another year, and mahalo for the good spirit we have developed this past legislative session.

Thank you, Mr. Speaker."

The Chair then stated:

"The Chair would like to remind the Minority Leader that we have cooperated fully with the members of the Minority because we, too, saw that the maturity of your members have increased."

Representative Say was recognized and he stated:

"Mr. Speaker, I would like to say a few words on behalf of the Freshmen Class of 1976.

On behalf of the Freshmen Class of 1976-1978, I would like to say, on behalf of the thirteen members - nine who were virgins who came here and who are now professionals. We are the first class, I believe, to have had their own Freshmen fundraising which was held at the Japanese Junior Chamber of Commerce, and I hope the public here this afternoon, or this evening, understand that, I believe, the thirteen members did their jobs.

Trying to reminisce during the year 1976-1977, I have thirteen articles about my fellow colleagues.

As far as Representative Ted Mina, his statement was, 'I have to produce', and I believe Representative Mina has produced as Vice Chairman of the Committee on State General Plan.

As far as Representative Yoshiro Nakamura, his statement was, 'Construction is called the key', and he has done his job working in that area.

As far as Representative Bryon Baker, his major statement was, 'Baker zeroes in on unemployment', and Representative Baker told me this afternoon that it has gone down by .01 percent.

As far as Representative Charles Campbell, his major goal was he wants more sunshine in government and I believe the public is getting that at this present time.

As far as the only Minority freshmen colleague, Representative Narvaes is young but he is his own man. He was just showing me his performance this afternoon that he is his own man in front of the eyes of the other fifty members.

As far as Representative Charles Toguchi, 'a tough task', but I believe this man has done a lot in the area of the conservation of water for the county of Oahu.

As far as Representative Bob Dods, his bumper sticker says, 'Go Faster With Bob Dods', and I don't think this will result in any traffic problems in your area. It's for the staggered work hours, huh?

As far as the oldest freshman member of the class, Representative Meyer Ueoka, his statement was, 'Government is overwhelming', and I believe he has contributed greatly to the young

ones in the Freshmen class, primarily Representatives Uwayne and myself.

Second to the last is Clifford Uwayne whose picture. . .he looks like a yakuza.

Finally on the list is Representative Richard Caldito and his statement was, 'Caldito stresses island agriculture', and he was on the Agriculture Committee. Too bad, his picture is a very old picture of his father and not of himself in this article.

As far as myself, I don't want to be arrogant or bold, but the article stated, 'Bus boy legislator cites public respect.' I have come to agree that all fifty-one members here should be given the public respect, that we are not crooks. We are just not crooks. During this past interim, when I went house to house, people used to slam the door and say, you guys are all crooks. So, I told them frankly, why don't you come down to my working place - I am advertising for my working place - to come down to Flamingo Chuckwagon and I'll be working there.

So, on behalf of the Freshmen Class of 1977, I would like to say thank you very much to the other 38 members who have nurtured us and guided us in the right direction.

Mahalo."

Representative Takamura then rose and stated:

"Mr. Speaker, I appreciate the remarks of the previous speakers, particularly Representative Say, and I think it would be remiss on our part if we didn't also recognize and express our appreciation for the hard work done by the members of our personal staff, some of whom are in the gallery and in the offices, and also the members of the House staff who have been here with us on the floor for all these days and have done such a tremendous job, and I really think it would be good if we take some time to recognize their efforts, too."

Representative Sutton was recognized and he remarked:

"Mr. Speaker, I have been looking at you very closely all evening because I want to be able to recognize you, Mr. Speaker, when I see you in a black robe."

The Chair replied:

"The Chair would like to remind Representative Sutton that such statements are

merely conjectural; that it is the Chair's present plan to seek the same office."

Representative Poepoe then rose and stated:

"Mr. Speaker, I would like to announce that I will be ending twelve years in this body this Fall and I will be running for another office, and I have a speech here which I am going to unfile with you because I don't believe I want to leave any sort of remarks like that.

I would just like to go back for a bit and reminisce and speak up for the old-timers of the House, if you don't mind. There are eight of us here. I am at twelve years. I am from the Class of 1966. I am with Mits Uechi and Ralph Ajifu. There are five of you, Mr. Speaker, who came in before me and that is you, Representative Kunimura, Representative Suwa, Representative Morioka and Representative Takamine. There are eight of us that go back to the days of Iolani Palace when we enacted legislation in stuffy chambers, small desks, with the termites flying all over us and the wings dropping on our papers, and the voice of the then Speaker of the House, Elmer Cravalho, cutting off our debates and everything else, but we had lots of fun.

Recalling some fond memories tonight, as well as the many battles that we fought over twelve years when I first came in, we had our offices set in the Y.M.C.A. across the street and when you walked into your office, you could stretch out your arms and touch both sides of the room. As I recall, well, at least that were the Republican offices. I don't know what the Democrats were doing. You had your secretary across the hall so you stick your head out the window and yell, hey, come on in, and then, you know, you dictate a letter or whatever else. But communication was always a problem back then.

We opened the new Capitol, our group did of the eight of us, in 1968 - the session of 1968. We came up here, as Representative Kunimura reminded you, with our hard hats on, and we had Finance up in that room - Appropriations then - under Hiram Kamaka, and I think Judiciary was under Hiroshi Kato.

The first meaningful dialogue that I can recall with Representative Kunimura was, 'hey, the reporters want to know how you're going to vote on this bill?'

I don't know if he remembers, but it was the Highway Act, starting that funding and that program back in 1967, and we had a committee of seventeen on Appropriations; someone had left, the vote was split and I was the deciding guy. In any case, we did enact that legislation.

We had several Senators here that I would like to recall - Stanley Hara, Bob Taira, Richard Wong, Buddy Soares and Mamo Yamasaki with us then and I found out, of course, that in dealing with Stanley Hara, you try to stay on the same side of the table as he is. It is much easier.

I recall my first meaningful dialogue with Jack Suwa, but that came later and that came on some mismatches over finances.

There were lots of fights and lots of fond memories.

I would like to wish all of you aloha, a lot of good luck in your campaigns coming up, and I really do wish you - everyone of you - success. If I have any messages to pass on to you, Mr. Speaker, it is said in jest, of course, but at Iolani Palace, it was rather stuffy and debate was limited. I note that debate is longer now because we have air-conditioned offices, nice soft chairs, carpeting and everything else. You might consider turning off the air-conditioning.

Aloha, good luck, good-bye."

The Chair responded, stating:

"The Chair, on behalf of all of the members here, would like to also extend to Representative Poepoe the best of luck, best wishes in whatever political role he wishes to take in the future."

Representative Cobb was recognized and he stated:

"Mr. Speaker, this is a speech that one really never wants to make - a farewell to respected friends and colleagues - in this House. Some of you with whom I shared the privilege of serving together in this House were here before me and others have joined us after I arrived. But no matter, as a group of fifty-one elected Representatives of all of our people, we have seen good times, sweated over contentious problems, sometimes expressed indignation, but in the main, we have kept our eyes upon our purpose, to find fact and to legislate.

My six years in this chamber have

been a learning experience for which I am grateful; certain of you who have been so much a part of it that I must recognize you individually as I take my leave.

To you, Mr. Speaker, I thank you for your patience and your perseverance, for your consideration, and for your parliamentary skills which have brought us through some stormy times. Whatever the future holds for you, be it in the legislative gavel or judicial robes, I wish you well.

To my brother, Representative Henry Peters, you have been both a friend and a teacher to me so that I, also born in these islands, have become more appreciative and more aware of our history and culture. While it is possible that our ancestors violently opposed each other, and perhaps some of yours ate some of mine, we have worked well together and you have increased my sensitivity to fundamental changes in our social structure. For that, I thank you.

To Representatives Clifford Uwaine and Calvin Say, I offer the observations to my colleagues that the young of today in Hawaii demand a hearing, that they seek out and hold increasing measures of responsibility for the way we live our lives. Calvin and Chip are of that younger generation and they may well be in the vanguard. Please listen to them carefully.

To Representative Jack Larsen, I would say that no one could ask for a better colleague or a more trustworthy seat-mate, that I hope you return here. No one deserves it more.

To the Democratic members of the House, we Democrats are sometimes viewed as a collection of diverse thinkers who will turn from confronting each other to present a common front on an issue. Whether that prescription applies to us, in these past years, our Majority leadership has proved responsive to the need for procedural change, making us a better and more open House than we were and for that I am grateful.

To the Republican members of the House, now and again, we have worked together and we have found ourselves on the same side of a thorny issue. I admire both your participation in the legislative process and the way you maintain your commitment to principles. I acknowledge your party integrity which is so necessary to the healthy functioning of government.

To my other associates who I have not been able, in these brief remarks, to call by name, you have both my appreciation and regard. When we have differed in the past, it has usually been on the merits of the question. I would hope that when we have done so, we have contributed something worthwhile to the legislative process of our State.

Mr. Speaker, I say aloha and farewell to all my colleagues. Your fortune favors my efforts in the ensuing months. I shall look forward to working with you again in friendship and for a common purpose.

To all of you, thank you and aloha."

The Chair responded, stating:

"The Chair appreciates Representative Cobb's remarks, and on behalf of each of his colleagues, the Chair wishes him well in the future."

Representative Uwaine then requested that his remarks be inserted into the Journal, and the Chair, noting that there were no objections, "so ordered."

Representative Uwaine's remarks are as follows:

"Mr. Speaker, as this is the last day of the Ninth Legislature, and the completion of my first term in office, it is an appropriate time to regard the future, with hope and conviction.

Although it may be that I have not accomplished all that I would have wanted, I believe that the full scope of a person's efforts are measured not only by what he has accomplished, but more importantly, by the goals he has set and tried to achieve. For accomplishments are in the past, and goals are in the future. We must now direct our efforts to the future, and those goals for the benefit of those who have worked so hard.

Thus, Mr. Speaker, I intend to continue to do what I think is right, just as I have done in the past. It may be that it is easier and simpler to go along with the majority, but not when I think it is wrong. I have a deep commitment to those people who have elected me, and I will continue to voice my convictions and to vote accordingly even if I must stand alone."

Representative Kamalii then rose and stated:

"Mr. Speaker and members of the House, for those of you who felt that

this session of the Legislature was borne, probably of symbolic justice; in our adjourning at sunset, it may enforce sunset laws on ourselves. I prefer to think that we have done our work conscientiously and well.

During the past several years, this State has had to respond to budgetary restraints and as legislators we have had to examine competing projects and programs and try to determine what the essentials are for our community. We have tried to distinguish between the better and more. The easiest thing in the world is to spend money. The most difficult is to spend it wisely.

This session, we began a difficult job of representing the quality of education in Hawaii, and it is not enough to build new classrooms. Now we must examine what happens within them.

This session, we began a difficult task of redefining the elements of the State General Plan, really, or redefining the direction of this State. The use of our land will ultimately determine the availability and kind of employment laying the patterns and recreational activities, and I am personally pleased that the budget this year included \$2.5 million for Waikiki improvements and the State tourism, in the study, also indicated a willingness to assume responsibility for quality tourism, but regardless of the achievements of this session, there are still items on our future agenda which will require action in sessions to come.

The implementation of the Correctional Master Plan will be revised, I am certain, by pending review. The findings of the extended activities of the Hawaii Crime Commission will also demand governmental decisions.

I believe that this is also an appropriate time to review the achievements of the Republican membership of this body. There was a public hearing on capital punishment; there was an increased public awareness of the potential strengthening of our pornography laws; there was a representation of differing views and philosophies.

It seems to me that our State is in a period of transition, that there is a hesitancy now about what and who we are. Some of this confusion is encouraging, especially if the part-Hawaiian community tries to remind us of the virtues and values of our original culture, but some of what I see developing is very discouraging

to me. It is right that we should be proud of living in Hawaii and it is right that we should express and show concern for the people who live here, but there is a very thin dividing line, in my opinion, between pride and prejudice. It is wrong if our pride becomes overbearing and exclusionary. It is wrong if our children also means the neglect of others who are in need.

Let me share what I think is a lesson in history. When King Kalakaua hoped to inspire his people with a belief in themselves, he called on the sense of haaheo - to cherish the past and themselves with pride. Also in the pride of haaheo is dignity - a manner of holding and sharing oneself. I do not believe that we have always displayed haaheo here during this session. We have isolated ourselves and said to others, no, we don't want you here. There were even moments when I detected racism. This is not the Hawaii I want - not today and not for my children. I recognize our special situation and problems, but I do not want solutions to be even greater problems.

Despite what I have said, I have been proud to be a member of the Ninth Legislative Session of the State of Hawaii, and I consider you friends more than colleagues.

Ha akua e malama oukou - God Bless You All."

Representative Kunimura was recognized and he stated:

"Mr. Speaker, for the first time since I have been here, some sixteen years, that I had a speech prepared, a speech that had the flavor of finality. It is very sad for me to say farewell. I love this House and I love all the people in this House. We may have had differences, but I cannot remember that our differences ended up in being disagreeable. We disagree because we subscribe to some different philosophy. Maybe the information given us were little different, but we have always gotten together. We've always worked for the best interest of this House.

I do not know, Mr. Speaker, if I will be here again next year. My circumstance depends upon some other movements. One is the action of the Congress of the United States. . . the Senate, and the other is dependent upon the Governor of the State of Hawaii with the advice and consent of the Senate, but I wanted to use this time, should I not return, to ask

forgiveness.

You have been very, very good to me, Mr. Speaker. You have been very tolerant and to most all of you, you have put up with my outrageous outbursts and sometimes uncalled for fooling around but, you know, when you don't have the kind of education that most of you have - I don't - then I've got to devise, and I did devise some diversionary tactics because of my inequity. I thought I had better be funny and I felt that being funny sometimes, my inequity would not show as much as if I tried to be serious.

Most of the people of Hawaii and the United States look to politicians as a collection of crooks and greedy people, but I hope that our system would be big enough to afford all the cynical people to come and share even one hour of their time to see or be one of us, at least even one hour, to share the kind of responsibility, the kind of sacrifices made by all of us. Yes, we have some unscrupulous, greedy people like anywhere else, but they are so small and they are so small in minority here, but as I said earlier today, we are judged, not by our personal inequities, but by the glaring inequities of the House and that is the sad part.

I am happy for one thing - that the prediction made by the morning paper that we are going to beat the sun - well, we fooled them. At least, for one time, we are all together in telling the newspaper they were wrong, but should I not come back again, I want to thank each and every one of you, and if I may leave something here, should I not return, for those new members, let us not be like the barnyard - the older chickens or the old-timers who pick on the young ones - but welcome them, help them. I have seen them come. It was very cynical but, you know, Hawaii has a great future because of all the young people and the new people coming in. When you care, age does not make any difference.

You know, when I saw Calvin Say come in, I said, oh, my God, they are sending high school boys here now, but history has repeated over and over again. Up on the battlefield, old sergeants would practically give up because of the young recruits coming in, but the battle was won because of the young people and the kind of dedication

and the kind of sacrifice. So the only secret here is that if you want to do right by the people, it is not the age, and please open your hearts.

I remember Henry Peters. I said, oh, my God, this guy rather drink beer than come to the committee meetings. Today, he is Vice Chairman of a committee, and I have never seen anybody, in two terms, that can carry the weight, carry the responsibility and the position of the House in conference. I love you, Henry.

Calvin, Ken, you have shown us what a yeoman's job you can do, and to you, my friend Toguchi, you didn't say much and I felt, what is this man doing next to me? He was assigned by Mr. Kihano. . . Mr. Speaker, you know, this chair has been a very unique chair. . ."

At this point, the Chair interrupted and remarked:

"He didn't have much of a chance with you there."

Representative Kunimura then continued his remarks, stating:

"This has usually been reserved for people who wanted to learn, but this is one time, you know, the Vice Speaker of the House assigned Mr. Toguchi and he was not of my choice. But I want to say, you have your brilliance in a quiet way. Some of us make a lot of noise to show a little flicker of light, but the real deep light is in the silence and quietness of individuals.

I will never forget the son of my very dear friend that I have served so long with when I was on the County Board of Supervisors - Junior Caldito. When I saw his name on the roster, I was very happy and warm because the son was going to carry on where the father left off.

To you, Kate Stanley, the quiet, neat and fragile, I gave you hell a couple of times, but I only did it because of my deep aloha, and I hope your allergy to flowers will be corrected by the doctor because you are the most difficult person to lei because of your allergy.

As I look around here, I see the four-year veteran like Carl Takamura who came in and took over the Committee on Youth and Elderly. We took a special problem and created a special committee and you have done a good job, Carl.

And Ben, the terrible, I thought I would never harness this son-of-a-gun. But you know something? Ben Cayetano -

problem he has is that he has a soft heart so he has to put up a tough front, you know, and Ben, if you do decide to run for the Senate, and God willing, your health and people willing, the Senate is going to be a more honest place if you get there.

To my very dear and special friend from Hawaii Kai, you don't have to switch parties to pass bills, you know. So, you stay where you are, work hard - okay?

Mr. Speaker, thank you very much. I am not saying I am not coming back because my action is going to be contingent upon several movements, but should those movements come about, I will be definitely going for another office, and I am pretty sure, at that time, there will be a multitude of people here that would like to see me as a witness testifying before the committee and I would like to ask you, please have mercy on the old man, if I do get elected.

You know, Mr. Speaker, if I may share with you, since we proved the newspaper wrong, when I first ran for office, I came out of the butcher shop in Koloa, Kauai, and all the years that I have been in elected office - now 24 years - you know, I think I owe the State and the County of Kauai because I have learned so much; my vocabulary has increased so much. We used to call that little bug that, you know, crawl around the heads of people, we used to call them uku-papa. When I came to the Legislature, I found they call it pediculosis.

I remember Dr. Hamilton as President of the University, and he was one sly guy, you know, and he wanted \$50,000 to develop the Micronesian dictionary. He knew if he said dictionary to the Finance Committee, he would be shot down so he said, 'the \$50,000, gentlemen, is to develop a Micronesian lexicon.' We didn't want to admit our ignorance. Everybody looked; nobody wanted to ask the next guy what it was all about, and I said, 'give 'um' because I wanted to look intelligent. By golly, the following year, we found out it was a dictionary and I never forgave him for that, but lovingly, I always kid him.

But, when I first ran for office, I was so far left. I don't think anyone here has been so far left as I have. I used to advocate that we should stop the smoke from billowing out of the sugar mills because that was the day of liberation. I used to also advocate the violent overthrow of our system

because it did not serve us, but I learned real quick that we have the most wonderful system although it is not perfect; it is the most wonderful system because in our system, we don't have to use bullets, we use ballots and I would like very much that we continue this system because as long as we use ballots, we are going to see the tri-centennial.

I will not bid you all aloha and farewell. Maybe, and maybe if I don't come back for one reason or another, I want all of you to know how much I appreciate your tolerance, your love and understanding, because without that, this House wouldn't be anything and please remember that this House, if we don't have anything, we have love.

Thank you, Mr. Speaker."

The Chair responded, stating:

"The Chair understands Representative Kunimura, not all the time, but most of the time. I appreciate your remarks and if things don't shift right, Representative Kunimura, I am sure those of us who return would certainly welcome you back with open arms."

Representative Kondo then rose and stated:

"Mr. Speaker, in my last two years. . . or my last eleven years, I have not said much on this floor, but I feel that I would be remiss in not thanking all the fifty-one professionals for the cooperation that you have given the House leadership. I would like to thank all of the Chairman for meeting their deadlines. I would also like to thank all of the committee staff, the House Research staff, the Clerk and his staff, the House Attorney and his staff, the printshop staff, the Sergeant-at-Arms and his staff, because without them, we would not have been able to meet our deadlines.

Mr. Speaker, we are one hour and fifteen minutes past the deadline set for this evening, but I wanted to take this time again to thank all of you, on behalf of the House leadership, for all of the cooperation you have given us these last two years.

Thank you."

The Chair, at this time, shared his observations, stating:

"The Chair is very proud of the accomplishments of this session despite the fiscal constraints that we have worked under. The Chair would like to indicate to all

of you that it is the Chair's firm belief that these accomplishments would never have been accomplished without all of your efforts, your hard work, the drive, determination and convictions.

The Chair would like to extend to all of you his deep appreciation for your cooperation, patience and understanding that you have extended the Chair. The Chair wishes all of you the best of wishes, best of luck in whatever political role you wish to undertake in the future."

Representative Yuen then rose and stated:

"Mr. Speaker, before I make the

motion, I would like to make a promise to you and all the Representatives here like General Douglas McArthur did many years ago - I shall not return."

ADJOURNMENT

Representative Yuen moved that the House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, adjourn Sine Die, seconded by Representative Kamalii and carried.

At 7:18 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, adjourned Sine Die.

GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Gov. Msg. No. 108 informing the House that on April 12, 1978, he signed the following bills into law:

Senate Bill No. 1682-78 as Act 13, entitled: "RELATING TO UNLAWFUL SUSPENSION OR DISCHARGE FROM EMPLOYMENT";

Senate Bill No. 1756-78 as Act 14, entitled: "RELATING TO NON-COMPETITIVE PROMOTIONS OF PUBLIC EMPLOYEES";

Senate Bill No. 1757-78 as Act 15, entitled: "RELATING TO PROVISIONAL APPOINTMENTS OF PUBLIC EMPLOYEES";

House Bill No. 1912-78 as Act 16, entitled: "RELATING TO HAZARDOUS MATERIALS TRANSPORTED UPON HIGHWAYS".

Gov. Msg. No. 109 transmitting copies of a report on the status of projects for the improvement of Waikiki, prepared by the Department of Planning and Economic Development, pursuant to House Resolution No. 20 (1978).

Gov. Msg. No. 110 transmitting copies of a master plan report prepared by James M. Takahashi, A.I.A., for the Department of Land and Natural Resources, entitled, "Honolulu Stadium State Park".

Gov. Msg. No. 111 transmitting copies of a master plan report prepared by Land Architects, Inc., for the Department of Land and Natural Resources, entitled, "Malaekahana State Park".

Gov. Msg. No. 112 transmitting copies of a report prepared by the University of Hawaii in response to House Resolution No. 337-78 (HD 1), relating to the University of Hawaii Women's Athletics Program.

Gov. Msg. No. 113 transmitting his statement of objections to Senate Bill No. 1596-78 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

April 14, 1978

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1596

Honorable Members
Ninth Legislature
State of Hawaii

Pursuant to Section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith Senate Bill No. 1596, Senate Draft 1, entitled, 'A Bill' for an Act Relating to a Study on the Development of an Effective Used Oil Recycling Program.'

The purpose of this bill is to obtain basic information needed to initiate a used oil recycling program in Hawaii by requiring the Energy Resources Coordinator to conduct a study. Although I agree that a study to obtain such information should be conducted, it appears that this bill is not necessary because a similar study has already been included in the State Energy Conservation Program of the Department of Planning and Economic Development. Since federal funds have already been granted for the study, a study will be conducted under the grant from the United States Department of Energy to obtain the information needed to initiate a used oil recycling program in Hawaii.

I have been informed that there also appears to be a constitutional objection to this bill because this bill did not pass three readings in the Senate as required by Section 16 of Article III of the Constitution of the State of Hawaii. As introduced, Senate Bill No. 1596 was titled, 'A Bill for an Act Relating to an Appropriation for a Study on the Development of an Effective Used Oil Recycling Program' (emphasis added). The purpose of the bill, as stated in Section 1 of the original bill, was 'to fund a study to obtain basic information needed to effectuate an [sic] used oil recycling program in Hawaii' (emphasis added). Section 2 of the original bill, on page 2 at lines 21-23, appropriated \$20,000 for the study. After Senate Bill No. 1596 in its original form passed first reading in the Senate, the title and the body of the bill were amended. The body of the bill was amended to delete the appropriation and to change the purpose of the bill by deleting the words underscored above, 'to fund a study.' The title of the bill was amended to delete the words underscored above, 'an Appropriation for.' It appears that the changes in the body and the title of the bill resulted in a new bill that materially differed from the bill originally introduced and, therefore, the new bill should have independently met the three-reading requirement of Section 16 of Article III

of the Constitution of the State of Hawaii. Unfortunately, Senate Bill No. 1596, Senate Draft 1, was not reread in the Senate as a new bill and was read only twice.

Consequently, in view of the lack of necessity for this bill and the apparent constitutional objection that could be made to it, I am herewith returning this bill, as provided by Article III, Section 17, of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 114 informing the House that on April 14, 1978, he signed the following bills into law:

Senate Bill No. 2380-78 as Act 17, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 2097-78 as Act 18, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND".

Gov. Msg. No. 115 informing the House that on April 17, 1978, he signed the following bills into law:

Senate Bill No. 1597-78 as Act 19, entitled: "RELATING TO TAX INCENTIVES FOR ENERGY CONSERVATION";

Senate Bill No. 1659-78 as Act 20, entitled: "RELATING TO COLLECTION AGENCIES";

Senate Bill No. 1660-78 as Act 21, entitled: "RELATING TO SPEECH PATHOLOGY AND AUDIOLOGY";

Senate Bill No. 1662-78 as Act 22, entitled: "RELATING TO VETERINARY EXAMINATIONS";

Senate Bill No. 1663-78 as Act 23, entitled: "RELATING TO THE HAWAII INSURANCE LAW";

Senate Bill No. 1772-78 as Act 24, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII";

Senate Bill No. 1931-78 as Act 25, entitled: "RELATING TO LIQUOR LICENSES";

Senate Bill No. 2220-78 as Act 26, entitled: "RELATING TO THE DEPARTMENT OF HEALTH";

Senate Bill No. 2476-78 as Act 27, entitled: "RELATING TO THE IMPORTATION OF BEER FOR PRIVATE CONSUMPTION";

Senate Bill No. 2490-78 as Act 28, entitled: "RELATING TO INSURANCE";

Senate Bill No. 2602-78 as Act 29, entitled: "RELATING TO INACTIVE STUDENT ACTIVITY ACCOUNTS";

House Bill No. 2593-78 as Act 30, entitled: "RELATING TO BICYCLE RULES OF THE ROAD";

House Bill No. 2793-78 as Act 31, entitled: "RELATING TO THE REGULATION OF THE SALE OF NONCHEMICAL PEST CONTROL DEVICES IN THE STATE OF HAWAII";

House Bill No. 2942-78 as Act 32, entitled: "RELATING TO TRUCK-TRACTORS AND SEMITRAILERS USED FOR AGRICULTURAL PURPOSES".

On April 18, 1978, he signed the following bills into law:

Senate Bill No. 1658-78 as Act 33, entitled: "RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPAIRATIONS ACT";

Senate Bill No. 1673-78 as Act 34, entitled: "RELATING TO EXEMPTING ITEMS PURCHASED FOR RESALE BY THE UNIVERSITY OF HAWAII BOOKSTORES FROM THE REQUIREMENTS OF PUBLIC ADVERTISEMENT FOR SEALED TENDERS";

Senate Bill No. 1690-78 as Act 35, entitled: "RELATING TO USE OF CREDIT CARDS";

Senate Bill No. 1773-78 as Act 36, entitled: "RELATING TO COUNTIES";

Senate Bill No. 1894-78 as Act 37, entitled: "RELATING TO THE HAWAII MEAT INSPECTION ACT";

Senate Bill No. 2614-78 as Act 38, entitled: "RELATING TO THE EXEMPTION OF THE EXECUTIVE SECRETARY OF THE COMMISSION ON POPULATION AND THE HAWAIIAN FUTURE FROM THE PROVISIONS OF CHAPTERS 76 AND 77, HAWAII REVISED STATUTES";

House Bill No. 2592-78 as Act 39, entitled: "RELATING TO BICYCLES".

Gov. Msg. No. 116 informing the House that on April 25, 1978, he signed the following bill into law:

House Bill No. 3041-78 as Act 40,

entitled: "RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1978".

Gov. Msg. No. 117 informing the House that on May 5, 1978, he signed the following bills into law:

Senate Bill No. 2302-78 as Act 41, entitled: "RELATING TO BONDS ISSUED BY THE COUNTIES";

Senate Bill No. 2559-78 as Act 42, entitled: "RELATING TO THE CONSTITUTIONAL CONVENTION";

Senate Bill No. 2616-78 as Act 43, entitled: "RELATING TO THE COMPACT FOR EDUCATION";

House Bill No. 2305-78 as Act 44, entitled: "RELATING TO PENALTIES FOR CREDIT CARD OFFENSES";

House Bill No. 2612-78 as Act 45, entitled: "RELATING TO BANKING";

House Bill No. 2895-78 as Act 46, entitled: "RELATING TO ATTACHMENT AND EXECUTION";

House Bill No. 3042-78 as Act 47, entitled: "RELATING TO APPROPRIATIONS FOR WITNESS EXPENSE IN CRIMINAL PROCEEDINGS".

Gov. Msg. No. 118 informing the House that on May 8, 1978, he signed the following bills into law:

Senate Bill No. 1533-78 as Act 48, entitled: "RELATING TO IN-SERVICE TRAINING PROGRAMS";

Senate Bill No. 1643-78 as Act 49, entitled: "RELATING TO CERTIFIED COPIES OF VITAL RECORDS";

Senate Bill No. 1649-78 as Act 50, entitled: "RELATING TO VITAL RECORDS";

Senate Bill No. 1705-78 as Act 51, entitled: "RELATING TO JURISDICTIONAL LIMIT OF THE CLERK IN HANDLING SMALL ESTATES OF PERSONS LEAVING NO KNOWN RELATIVES";

Senate Bill No. 1801-78 as Act 52, entitled: "RELATING TO THE PHYSICIAN-PATIENT PRIVILEGE";

Senate Bill No. 2480-78 as Act 53, entitled: "RELATING TO RIGHTS OF SUBROGATION";

House Bill No. 225 as Act 54, entitled: "RELATING TO THE HAWAII INSURANCE LAW";

House Bill No. 1923-78 as Act 55, entitled: "RELATING TO THE UNCLAIMED PROPERTY ACT";

House Bill No. 1963-78 as Act 56, entitled: "RELATING TO THE HAWAII INSURANCE LAW";

House Bill No. 2098-78 as Act 57, entitled: "RELATING TO GENERAL OBLIGATION BONDS OF THE STATE";

House Bill No. 2570-78 as Act 58, entitled: "RELATING TO ESTABLISHMENT OF VETERANS CEMETERIES";

House Bill No. 3046-78 as Act 59, entitled: "RELATING TO EXAMINATION FEES FOR PSYCHOLOGIST LICENSES";

House Bill No. 3060-78 as Act 60, entitled: "RELATING TO THE MEDICAL CLAIM CONCILIATION PANELS".

Gov. Msg. No. 119 informing the House that on May 10, 1978, he signed the following bills into law:

Senate Bill No. 1627-78 as Act 61, entitled: "MAKING AUTHORIZATIONS FOR COLLECTIVE BARGAINING COST ITEMS FOR EMPLOYEES IN BARGAINING UNIT 11";

Senate Bill No. 1654-78 as Act 62, entitled: "RELATING TO VACANCIES IN CIVIL SERVICE POSITIONS";

Senate Bill No. 36 as Act 63, entitled: "RELATING TO INTERGOVERNMENTAL TRANSFER OF EMPLOYEES";

Senate Bill No. 113 as Act 64, entitled: "RELATING TO THE DEPARTMENT OF EDUCATION";

House Bill No. 196 as Act 65, entitled: "RELATING TO THE DEPARTMENT OF EDUCATION";

House Bill No. 1932-78 as Act 66, entitled: "RELATING TO THE MOTOR CARRIER LAW";

House Bill No. 1954-78 as Act 67, entitled: "RELATING TO LABOR STANDARDS FOR THE REGISTRATION OF APPRENTICESHIP PROGRAMS";

House Bill No. 2447-78 as Act 68, entitled: "RELATING TO SUBSTANCE ABUSE";

Gov. Msg. No. 120 informing the House that on May 16, 1978, he signed the following bills into law:

House Bill No. 514 as Act 69,
entitled: "RELATING TO MOTOR
VEHICLES";

House Bill No. 1876-78 as Act 70,
entitled: "RELATING TO THE
MEANING OF CHILD AND RELATED
TERMS IN THE UNIFORM PROBATE
CODE";

House Bill No. 1918-78 as Act 71,
entitled: "RELATED TO AUDIT
AND ACCOUNTING";

House Bill No. 1934-78 as Act 72,
entitled: "RELATING TO PUBLIC
UTILITIES";

House Bill No. 1940-78 as Act 73,
entitled: "RELATING TO THE
STADIUM AUTHORITY";

House Bill No. 1949-78 as Act 74,
entitled: "RELATING TO MARRIAGE";

House Bill No. 2054-78 as Act 75,
entitled: "RELATING TO THE
RESIDENTIAL LANDLORD-TENANT
CODE";

House Bill No. 2094-78 as Act 76,
entitled: "RELATING TO THE
ADMINISTRATIVE PROCEDURES
ACT";

House Bill No. 2095-78 as Act 77,
entitled: "RELATING TO SPOUSAL
LIABILITIES";

House Bill No. 2105-78 as Act 78,
entitled: "RELATING TO PROOF
OF FINANCIAL RESPONSIBILITY
REQUIRED UPON CONVICTION OF
CERTAIN OFFENSES";

House Bill No. 2390-78 as Act 79,
entitled: "RELATING TO INDUSTRIAL
LOAN COMPANIES";

House Bill No. 2693-78 as Act 80,
entitled: "RELATING TO STATUTE
REVISION AND PUBLICATION";

House Bill No. 3051-78 as Act 81,
entitled: "RELATING TO AIRPORT
AND HARBOR REVENUE BONDS";

House Bill No. 3054-78 as Act 82,
entitled: "RELATING TO VESSELS OR
PROPERTY TAKEN INTO LEGAL
CUSTODY AND PROHIBITING
UNAUTHORIZED CONTROL THEREOF".

Gov. Msg. No. 121 informing the
House that on May 18, 1978, he signed
the following bills into law:

Senate Bill No. 1639-78 as Act 83,
entitled: "RELATING TO THE BOARD
OF TRUSTEES OF THE EMPLOYEES'
RETIREMENT SYSTEM";

House Bill No. 490 as Act 84, entitled:
"RELATING TO REPLACEMENT OF
SCHOOL BOOKS";

House Bill No. 1917-78 as Act 85,
entitled: "RELATING TO THE FEDERAL
SURPLUS PROPERTY";

House Bill No. 1948-78 as Act 86,
entitled: "RELATING TO VITAL
RECORDS";

House Bill No. 2192-78 as Act 87,
entitled: "RELATING TO AUTOMOBILE
NO-FAULT INSURANCE";

House Bill No. 2318-78 as Act 88,
entitled: "RELATING TO AQUA-
CULTURE LOANS";

Senate Bill No. 2332-78 as Act 89,
entitled: "RELATING TO EXPENDITURE
OF PUBLIC MONEY AND PUBLIC CON-
TRACTS";

House Bill No. 2400-78 as Act 90,
entitled: "RELATING TO THE
CHARGES COLLECTIBLE BY
INDUSTRIAL LOAN COMPANIES";

House Bill No. 2816-78 as Act 91,
entitled: "RELATING TO THE HAWAII
MOTOR VEHICLE ACCIDENT REPARA-
TIONS ACT";

House Bill No. 3047-78 as Act 92,
entitled: "RELATING TO THE MOTOR
VEHICLE INDUSTRY";

House Bill No. 3059-78 as Act 93,
entitled: "RELATING TO LAND FIRE
PROTECTION".

Gov. Msg. No. 122 informing the
House that on May 20, 1978, he signed
the following bills into law:

Senate Bill No. 2464-78 as Act 94,
entitled: "RELATING TO NOISE
POLLUTION";

House Bill No. 1907-78 as Act 95,
entitled: "RELATING TO INCOME
TAX";

House Bill No. 1970-78 as Act 96,
entitled: "RELATING TO COMMUNITY
SERVICE AS A SENTENCING ALTER-
NATIVE";

House Bill No. 2100-78 as Act 97,
entitled: "RELATING TO FISHING
IN THE NORTHWESTERN HAWAIIAN
ISLANDS";

House Bill No. 2306-78 as Act 98,
entitled: "RELATING TO THE COSTS
OF COURT ORDERS";

House Bill No. 2394-78 as Act 99,
entitled: "RELATING TO ELECTRICIANS

AND PLUMBERS" .

On May 22, 1978, he signed the following bill into law:

House Bill No. 2173-78 as Act 100, entitled: "RELATING TO PLANNING" .

Gov. Msg. No. 123 informing the House that on May 23, 1978, he signed the following bills into law:

Senate Bill No. 1787-78 as Act 101, entitled: "RELATING TO PUBLIC EMPLOYMENT";

House Bill No. 1893-78 as Act 102, entitled: "RELATING TO UNEMPLOYMENT";

Senate Bill No. 1782-78 as Act 103, entitled: "RELATING TO PUBLIC ASSISTANCE";

Senate Bill No. 1469 as Act 104, entitled: "RELATING TO PUBLIC ASSISTANCE";

Senate Bill No. 2609-78 as Act 105, entitled: "RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING";

House Bill No. 2164-78 as Act 106, entitled: "RELATING TO THE ESTABLISHMENT OF A STATE MEDICAID FRAUD UNIT AND MAKING AN APPROPRIATION THEREFOR";

House Bill No. 2185-78 as Act 107, entitled: "RELATING TO ADULT CARE HOMES, FAMILY BOARDING HOMES, AND OTHER SIMILAR INSTITUTIONS";

House Bill No. 1815-78 as Act 108, entitled: "RELATING TO COLLECTIVE BARGAINING" .

Gov. Msg. No. 124 informing the House that on May 24, 1978, he signed the following bills into law:

Senate Bill No. 2147-78 as Act 109, entitled: "RELATING TO MINORS";

Senate Bill No. 2620-78 as Act 110, entitled: "RELATING TO PUBLIC ASSISTANCE";

House Bill No. 1877-78 as Act 111, entitled: "RELATING TO PENALTIES AND PROCEDURE ON ARREST, INTERPRETATION AND SEVERABILITY IN THE STATEWIDE TRAFFIC CODE";

House Bill No. 1878-78 as Act 112, entitled: "RELATING TO NOTICE IN GUARDIANSHIP OF THE PERSON PROCEEDINGS";

House Bill No. 1884-78 as Act 113, entitled: "RELATING TO THE UNIFORM PROBATE CODE CONCERNING NOTICE";

House Bill No. 1889-78 as Act 114, entitled: "RELATING TO THE HAWAII SUPREME COURT CONCERNING A FULL COURT, ORAL ARGUMENTS, AND SUBSTITUTE JUSTICES";

House Bill No. 1911-78 as Act 115, entitled: "RELATING TO REAL PROPERTY TAXES";

House Bill No. 1926-78 as Act 116, entitled: "RELATING TO THE USE OF MONEYS IN THE LOAN FUND";

House Bill No. 1927-78 as Act 117, entitled: "RELATING TO THE EXECUTIVE BUDGET";

House Bill No. 1931-78 as Act 118, entitled: "RELATING TO STATE MORTGAGE GUARANTEE FUND";

House Bill No. 2114-78 as Act 119, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

House Bill No. 2248-78 as Act 120, entitled: "RELATING TO GENERAL POWERS OF COUNTIES";

House Bill No. 2252-78 as Act 121, entitled: "RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS";

House Bill No. 2303-78 as Act 122, entitled: "RELATING TO NOTARIES PUBLIC";

House Bill No. 2312-78 as Act 123, entitled: "RELATING TO UNIFORM PROBATE CODE";

House Bill No. 2499-78 as Act 124, entitled: "RELATING TO THE RESIDENTIAL-LANDLORD TENANT CODE";

House Bill No. 2764-78 as Act 125, entitled: "RELATING TO SALE AND DISTRIBUTION OF SESSION LAWS, SUPPLEMENTS AND REPLACEMENT VOLUMES";

House Bill No. 2814-78 as Act 126, entitled: "RELATING TO DEGREE GRANTING INSTITUTIONS";

House Bill No. 2860-78 as Act 127, entitled: "RELATING TO COSTS AND FEE";

House Bill No. 2936-78 as Act 128, entitled: "RELATING TO THE DEPARTMENT OF TRANSPORTATION";

House Bill No. 3011-78 as Act 129,

entitled: "RELATING TO HEALTH PLANNING";

House Bill No. 3012-78 as Act 130, entitled: "RELATING TO COMMUNICABLE DISEASES".

Gov. Msg. No. 125 informing the House that on May 30, 1978, he signed the following bills into law:

Senate Bill No. 1581-78 as Act 131, entitled: "RELATING TO AN APPROPRIATION FOR RESEARCH, DEVELOPMENT, DEMONSTRATION, AND UTILIZATION OF ALTERNATE ENERGY SOURCES FOR HAWAII";

House Bill No. 2165-78 as Act 132, entitled: "RELATING TO THE PURCHASE BY A PUBLIC UTILITY OF GEOTHERMAL ENERGY";

House Bill No. 2169-78 as Act 133, entitled: "RELATING TO ENERGY CONSERVATION";

Senate Bill No. 1591-78 as Act 134, entitled: "RELATING TO ENERGY EFFICIENT PROCUREMENT PRACTICES";

House Bill No. 3033-78 as Act 135, entitled: "RELATING TO THE RESERVATION AND DISPOSITION OF MINERAL RIGHTS";

House Bill No. 2166-78 as Act 136, entitled: "RELATING TO ENERGY RESOURCES";

Senate Bill No. 1598-78 as Act 137, entitled: "RELATING TO THE BANNING OF PILOT LIGHTS ON GAS APPLIANCES";

House Bill No. 2618-78 as Act 138, entitled: "RELATING TO THE HAWAII HOUSING AUTHORITY";

House Bill No. 1870-78 as Act 139, entitled: "RELATING TO ALTERNATIVE MORTGAGE INSTRUMENTS";

House Bill No. 1987-78 as Act 140, entitled: "RELATING TO RESIDENTIAL LEASEHOLD";

Senate Bill No. 71 as Act 141, entitled: "RELATING TO HOUSING";

House Bill No. 939 as Act 142, entitled: "RELATING TO HOUSING".

Gov. Msg. No. 126 informing the House that on May 31, 1978, he signed the following bills into law:

House Bill No. 2379-78 as Act 143, entitled: "RELATING TO THE SALE OF

ARTISTIC PRINTS";

House Bill No. 992 as Act 144, entitled: "RELATING TO TAXATION";

House Bill No. 450 as Act 145, entitled: "RELATING TO INHERITANCE TAXATION";

Senate Bill No. 271 as Act 146, entitled: "RELATING TO OCCUPATIONAL THERAPY";

House Bill No. 2085-78 as Act 147, entitled: "RELATING TO BUILDING PERMITS".

Gov. Msg. No. 127 informing the House that on June 1, 1978, he signed the following bills into law:

Senate Bill No. 2386-78 as Act 148, entitled: "RELATING TO THE STATE COMPREHENSIVE EMERGENCY MEDICAL SERVICES SYSTEM";

House Bill No. 2827-78 as Act 149, entitled: "RELATING TO SCHOOL HEALTH SERVICES";

Senate Bill No. 2114-78 as Act 150, entitled: "RELATING TO JOB-SHARING PROJECT IN THE DEPARTMENT OF EDUCATION";

Senate Bill No. 518 as Act 151, entitled: "RELATING TO LAND TRUSTS";

Senate Bill No. 1622-78 as Act 152, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

Senate Bill No. 1752-78 as Act 153, entitled: "RELATING TO FREE EMERGENCY AMBULANCE SERVICE";

Senate Bill No. 2436-78 as Act 154, entitled: "RELATING TO LITTER CONTROL";

House Bill No. 617 as Act 155, entitled: "RELATING TO THE UNIFORM COMMERCIAL CODE";

House Bill No. 1881-78 as Act 156, entitled: "RELATING TO SUITS BY AND AGAINST THE STATE AND CONFERRING JURISDICTION UPON DISTRICT COURTS IN SAID SUITS";

House Bill No. 1882-78 as Act 157, entitled: "RELATING TO PERSONS ELIGIBLE FOR APPOINTMENT AS GUARDIAN OF THE PERSON OF MINORS AND INCAPACITATED PERSONS";

House Bill No. 1920-78 as Act 158, entitled: "RELATING TO BOARDS AND COMMISSIONS";

House Bill No. 2102-78 as Act 159,
entitled: "RELATING TO MOTOR
VEHICLE TAXES";

House Bill No. 2123-78 as Act 160,
entitled: "RELATING TO COMMUNITY
PHYSICIAN PROGRAM";

House Bill No. 2293-78 as Act 161,
entitled: "RELATING TO THE OFFICE
OF ENVIRONMENTAL QUALITY
CONTROL";

House Bill No. 2385-78 as Act 162,
entitled: "RELATING TO THE BOARD
OF EXAMINERS AND NATUROPATHY";

House Bill No. 2388-78 as Act 163,
entitled: "RELATING TO THE PRACTICE
OF PODIATRY".

Gov. Msg. No. 128 informing the House
that on June 2, 1978, he signed the
following bills into law:

House Bill No. 2402-78 as Act 164,
entitled: "RELATING TO FISHING";

House Bill No. 2689-78 as Act 165,
entitled: "RELATING TO LAND USE";

House Bill No. 2756-78 as Act 166,
entitled: "RELATING TO LAND USE";

House Bill No. 2765-78 as Act 167,
entitled: "RELATING TO THE
RESIDENTIAL LANDLORD-TENANT
CODE";

House Bill No. 2845-78 as Act 168,
entitled: "RELATING TO STATE
LAW ENFORCEMENT";

Senate Bill No. 350 as Act 169,
entitled: "FOR MANDATORY
CERTIFICATION OF OPERATING
PERSONNEL IN WASTEWATER
TREATMENT FACILITIES";

Senate Bill No. 1342 as Act 170,
entitled: "RELATING TO THE
ISSUANCE OF REVENUE BONDS FOR
ANTI-POLLUTION PROJECTS";

Senate Bill No. 2617-78 as Act 171,
entitled: "RELATING TO ESTABLISH-
MENT OF A CONSERVATION AND
RESOURCES ENFORCEMENT PROGRAM
WITHIN THE DEPARTMENT OF LAND
AND NATURAL RESOURCES";

Senate Bill No. 1664-78 as Act 172,
entitled: "RELATING TO THE
CONFIDENTIALITY OF TAX RETURNS
AND INFORMATION IN TAX RETURNS";

Senate Bill No. 2200-78 as Act 173,
entitled: "RELATING TO TAXATION";

House Bill No. 1909-78 as Act 174,

entitled: "RELATING TO INTEREST
PAYMENT ON REFUND OF TAXES";

Senate Bill No. 782 as Act 175, entitled:
"RELATING TO MOTOR-BIKES";

Senate Bill No. 2581-78 as Act 176,
entitled: "RELATING TO HORIZONTAL
PROPERTY REGIMES";

House Bill No. 1885-78 as Act 177,
entitled: "RELATING TO CIRCUIT
AND DISTRICT JUDGES";

House Bill No. 2403-78 as Act 178,
entitled: "RELATING TO HORIZONTAL
PROPERTY REGIMES";

Senate Bill No. 1824-78 as Act 179,
entitled: "RELATING TO COUNSELING
SERVICES FOR MINORS";

Senate Bill No. 2478-78 as Act 180,
entitled: "RELATING TO IMPROVEMENT
BY ASSESSMENT";

House Bill No. 592 as Act 181, entitled:
"RELATING TO EXEMPTIONS FROM
INCOME TAX";

House Bill No. 2118-78 as Act 182,
entitled: "RELATING TO SOLICITING,
PEDDLING, AND DISORDERLY CONDUCT";

House Bill No. 2416-78 as Act 183,
entitled: "RELATING TO THE HAWAII
AGRICULTURAL COOPERATIVE
ASSOCIATIONS LAWS";

House Bill No. 2728-78 as Act 184,
entitled: "RELATING TO COMPENSATION
OF PUBLIC OFFICERS AND EMPLOYEES";

House Bill No. 2784-78 as Act 185,
entitled: "RELATING TO THE UNIFORM
LIMITED PARTNERSHIP ACT, CHAPTER
425, HAWAII REVISED STATUTES";

House Bill No. 2937-78 as Act 186,
entitled: "RELATING TO THE OAHU
METROPOLITAN PLANNING ORGANIZA-
TION";

House Bill No. 3045-78 as Act 187,
entitled: "RELATING TO GRANTS-IN-
AID TO COUNTY OR STATE AGENCIES
FOR ELIGIBLE WATER POLLUTION
CONTROL FACILITIES AND PLANS,
CONCEPTS AND PROJECTS RELATED
TO SUCH ELIGIBLE FACILITIES";

House Bill No. 610 as Act 188, entitled:
"RELATING TO TRAFFIC CONTROL
NEAR SCHOOLS".

Gov. Msg. No. 129 informing the House
that on June 3, 1978, he signed the
following bills into law:

Senate Bill No. 2005-78 as Act 189,

- entitled: "RELATING TO FARM LOANS";
- Senate Bill No. 2279-78 as Act 190,
entitled: "RELATING TO FARM LOANS";
- House Bill No. 2837-78 as Act 191,
entitled: "RELATING TO PUBLIC LANDS";
- House Bill No. 2934-78 as Act 192,
entitled: "RELATING TO PERMITS";
- House Bill No. 559 as Act 193, entitled:
"RELATING TO FIREFIGHTER'S
PENSIONS";
- House Bill No. 630 as Act 194, entitled:
"RELATING TO PUBLIC OFFICERS
AND EMPLOYEES";
- House Bill No. 704 as Act 195, entitled:
"RELATING TO THE PUBLIC EMPLOYEES
HEALTH FUND";
- House Bill No. 1994-78 as Act 196,
entitled: "RELATING TO COLLECTIVE
BARGAINING";
- House Bill No. 2729-78 as Act 197,
entitled: "RELATING TO PUBLIC
OFFICERS AND EMPLOYEES EXCLUDED
FROM COLLECTIVE BARGAINING";
- Senate Bill No. 2100-78 as Act 198,
entitled: "RELATING TO UNEMPLOYMENT
INSURANCE";
- House Bill No. 599 as Act 199, entitled:
"RELATING TO PREPAID HEALTH CARE";
- House Bill No. 645 as Act 200, entitled:
"RELATING TO TEMPORARY DISABILITY
INSURANCE";
- House Bill No. 1066 as Act 201, entitled:
"RELATING TO WORKERS' COMPENSA-
TION";
- House Bill No. 2462-78 as Act 202,
entitled: "RELATING TO REGULATION
OF EMPLOYMENT AGENCIES";
- House Bill No. 2478-78 as Act 203,
entitled: "AUTHORIZING THE REPAIR
AND MAINTENANCE OF PUBLIC
FACILITIES AND MAKING APPROPRIATIONS
THEREFOR";
- House Bill No. 2171-78 as Act 204,
entitled: "RELATING TO THE HAWAIIAN
HOMES COMMISSION ACT, 1920, AS
AMENDED";
- House Bill No. 2496-78 as Act 205,
entitled: "RELATING TO HOLIDAYS";
- House Bill No. 2601-78 as Act 206,
entitled: "RELATING TO THE
KAMEHAMEHA DAY CELEBRATION
COMMISSION";
- House Bill No. 2850-78 as Act 207,
entitled: "RELATING TO EMBLEMS AND
SYMBOLS";
- House Bill No. 49 as Act 208, entitled:
"RELATING TO THE MEMBERSHIP OF
VARIOUS BOARDS AND COMMISSIONS
IN THE DEPARTMENT OF REGULATORY
AGENCIES";
- House Bill No. 425 as Act 209, entitled:
"RELATING TO ELECTRICIANS AND
PLUMBERS".
- Gov. Msg. No. 130 informing the House
that on June 5, 1978, he signed the
following bills into law:
- Senate Bill No. 1919-78 as Act 210,
entitled: "RELATING TO DISPOSITION
OF DEFENDANTS";
- Senate Bill No. 2595-78 as Act 211,
entitled: "RELATING TO OBSTRUCTION
OF JUSTICE";
- Senate Bill No. 2596-78 as Act 212,
entitled: "RELATING TO WITNESS
IMMUNITY";
- House Bill No. 1688 as Act 213, entitled:
"RELATING TO THE STATE LAW
ENFORCEMENT PLANNING AGENCY";
- House Bill No. 1838-78 as Act 214,
entitled: "RELATING TO PUBLIC
HEALTH AND MORALS";
- House Bill No. 263 as Act 215, entitled:
"RELATING TO RECKLESS ENDANGER-
ING WITH A FIREARM";
- House Bill No. 491 as Act 216, entitled:
"RELATING TO VANDALISM IN THE
SCHOOLS";
- House Bill No. 2087-78 as Act 217,
entitled: "RELATING TO RELEASE
ON BAIL";
- House Bill No. 2434-78 as Act 218,
entitled: "RELATING TO ELECTRONIC
EAVESDROPPING";
- House Bill No. 2239-78 as Act 219,
entitled: "RELATING TO A CRIME
COMMISSION";
- House Bill No. 2242-78 as Act 220,
entitled: "RELATING TO LIABILITY
FOR THEFT BY SHOPLIFTING";
- House Bill No. 2687-78 as Act 221,
entitled: "RELATING TO PROPERTY
RIGHTS";
- House Bill No. 1879-78 as Act 222,
entitled: "RELATING TO THE STATEWIDE
TRAFFIC CODE CONCERNING PENALTIES";

House Bill No. 2611-78 as Act 223,
entitled: "RELATING TO CORPORATIONS";

Senate Bill No. 2545-78 as Act 224,
entitled: "RELATING TO PROBATION";

House Bill No. 1430 as Act 225, entitled:
"RELATING TO CRIMINAL APPEALS";

House Bill No. 1769-78 as Act 226,
entitled: "RELATING TO THE COM-
PENSATION OF CERTAIN PERSONS
UNDER THE CRIMINAL INJURIES
COMPENSATION ACT AND PROVIDING
APPROPRIATIONS THEREFOR";

House Bill No. 2893-78 as Act 227,
entitled: "RELATING TO COMPLAINTS";

House Bill No. 2894-78 as Act 228,
entitled: "RELATING TO ARRESTS";

House Bill No. 2170-78 as Act 229,
entitled: "RELATING TO THE HAWAIIAN
HOMES COMMISSION ACT, 1920, AS
AMENDED". (WITH ITEM VETO)

Gov. Msg. No. 131 returning the
following bills without his approval,
together with his statement of objections
relating to the measures as follows:

(1) "STATE OF HAWAII
EXECUTIVE CHAMBERS

June 5, 1978

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1691-78

Honorable Members
Ninth Legislature
State of Hawaii

Pursuant to Section 17 of Article
III of the Constitution of the State
of Hawaii, I am returning herewith
without my approval, Senate Bill No.
1691-78 entitled, 'A Bill for an Act
Relating to Amendment of Notice to
Victim Provision of HRS 706-602.'

The purpose of this bill is to
provide for notification to victims of
criminal acts of the benefits available
under the Criminal Injuries Compensa-
tion Act. Under the present law, the
court, service center or other agency
personnel are supposed to provide
such notification. This bill seeks to
change the law to require that the
police department personnel of the
various counties notify the victims
of the benefits available.

I have been advised by the Mayor
of the City and County of Honolulu
that notifying potential recipients of
the benefits of the Criminal Injuries
Compensation Act and of the procedures

in making claims is a non-police function
and should rightfully remain within the
scope of the Criminal Injuries Compensa-
tion Commission itself, that the extension
of police duties to non-police matters
would prove to be a detriment to overall
police services and is unnecessary, since
there is an agency in existence created
for this particular purpose.

Accordingly, I am returning Senate
Bill No. 1691-78 without my approval,
as provided by Section 17 of Article
III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 17 of Article III
of the Constitution of the State of Hawaii,
the Governor is required to give notice,
by a proclamation, of his plan to return
with his objections any bill presented
to him less than ten days before adjournment
sine die or presented to him after adjournment
sine die of the legislature; and

WHEREAS, Senate Bill No. 1691-78
entitled, 'A Bill for an Act Relating to
Amendment of Notice to Victim Provision
of HRS 706-602,' passed by the legislature,
was presented to the Governor within the
aforementioned period; and

WHEREAS, Senate Bill No. 1691-78 is
unacceptable to the Governor of the
State of Hawaii;

NOW, THEREFORE, I, GEORGE R.
ARIYOSHI, Governor of the State of
Hawaii, hereby issue this proclamation
pursuant to the provisions of Section 17
of Article III of the Constitution of the
State of Hawaii, giving notice of my plan
to return Senate Bill No. 1691-78 with my
objections thereon to the legislature as
provided by said Section 17 of Article
III of the Constitution of the State of
Hawaii.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 5th day of June, 1978.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii";

(2) "STATE OF HAWAII
EXECUTIVE CHAMBERS

June 5, 1978

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2190-78

Honorable Members
Ninth Legislature
State of Hawaii

Pursuant to Section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith without my approval, Senate Bill No. 2190-78, entitled 'A Bill for an Act Relating to Federal-Aid Highways.'

The primary purpose of this bill is to make it the duty of the Director of Transportation to 'insure that the state highway system conforms to the safety standards and construction criteria required by the Federal Highway Safety Act of 1966, as amended.'

While I appreciate the fact that the legislative power, vested in the Legislature, extends to all rightful subjects of legislation not inconsistent with the Constitution of the State of Hawaii and the Constitution of the United States of America, I am constrained to return the bill without approval for the following reasons:

(1) The title of this bill is limited to Federal-aid highways while the substance thereof is much broader, as it refers to the 'state highway system' established by Section 264-41, HRS, and which includes, pursuant to Section 264-42, numerous miles of non-federal aid highways. The broader coverage of the substance of the statute, when compared with its title, violates Section 15 of Article III of the Constitution of the State of Hawaii which requires that the subject be expressed in the title. Violation of said Section 15 does not normally invalidate the entire bill. However, if the constitutional and unconstitutional portions are incapable of separation, as in this bill, then the entire bill becomes inoperative.

(2) The mandate to the Director of Transportation to insure conformity with the Federal Highway Safety Act of 1966, as amended, may well result in countless suits against the State for breach of its duty to so insure, even when funds therefor have not been appropriated.

(3) Even if funds had already been appropriated, it would be impossible to conform the entire existing system to the federal standards and criteria prior to the effective date of the law. Such non-conformance would expose the State to suits for damages, a result which could not have been within the contemplation of the Legislature.

For the foregoing reasons, I am returning Senate Bill No. 2190-78 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 17 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 2190-78, entitled, 'A Bill for an Act Relating to Federal-Aid Highways,' passed by the legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2190-78 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2190-78 with my objections thereon to the legislature as provided by said Section 17 of Article III of the Constitution of the State of Hawaii.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 5th day of June, 1978.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii";

(3) "STATE OF HAWAII
EXECUTIVE CHAMBERS

June 5, 1978

STATEMENT OF OBJECTIONS
HOUSE BILL NO. 64

Honorable Members
Ninth Legislature
State of Hawaii

Pursuant to Section 17 of Article III of the Constitution of the State of Hawaii,

I am returning herewith without my approval, House Bill No. 64 entitled, 'A Bill for an Act Relating to Juvenile Corrections.'

The purpose of this bill is to require vocational, educational, health, and other programs at each juvenile correctional facility in the State.

While I appreciate the fact that the legislative power, vested in the legislature, extends to all rightful subjects of legislation not inconsistent with the Constitutions of the State of Hawaii and the United States of America, I am nevertheless constrained to return the bill without my approval.

The responsibilities envisioned by the bill are already incorporated in existing law. For example, Section 352-8, HRS, specifies that the objectives of the Hawaii Youth Correctional Facility are the 'detention, management, education, employment, reformation, and maintenance of such children and adults as are committed thereto.' In this connection it is noted that the Department of Education has established Olomana Youth Center on the grounds of the Youth Correctional Facility, which provides educational opportunities to committed youths.

Moreover, under Section 352-21, HRS, the Director of Social Services is authorized to 'bind out as apprentices' juveniles from the Hawaii Youth Correctional Facility 'to such useful trades, employment, or occupations as are suitable to their years and capacity . . .'

It would appear, therefore, that House Bill No. 64 simply provides for the duplication of existing programs.

Although the bill necessitates the implementation of vocational, educational, health, and other programs for juvenile offenders, it is also noted that additional appropriations have not been provided for these purposes.

For the foregoing reasons, I am returning House Bill No. 64 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 17 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation,

of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 64 entitled, 'A Bill for an Act Relating to Juvenile Corrections,' passed by the legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 64 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 64, with my objections thereon to the legislature as provided by said Section 17 of Article III of the Constitution of the State of Hawaii.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 5th day of June, 1978.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii";

(4) "STATE OF HAWAII
EXECUTIVE CHAMBERS

June 5, 1978

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 429

Honorable Members
Ninth Legislature
State of Hawaii

Pursuant to Section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith without my approval, House Bill No. 429, entitled, 'A Bill for an Act Relating to Professional Engineers, Architects, Surveyors, and Landscape Architects.'

The purpose of this bill is to increase the maximum amount of the estimated cost of a privately owned or controlled residential building, which may be constructed without a stamp of certification by an architect or engineer, from \$35,000 to \$50,000 for a one-story building and from \$30,000 to \$45,000 for a two-story building.

As currently written, Section 464-13, Hawaii Revised Statutes, applies the

\$35,000 and \$30,000 estimated cost figures to all structures, both residential and non-residential. Under the proposed amendments, however, all non-residential structures, regardless of cost; must obtain a stamp of certification. I have been informed by the Board of Professional Engineers, Architects, Surveyors and Landscape Architects that the proposal would inflict severe financial burdens on small commercial establishments and existing businesses which plan small inexpensive alterations or additions.

Furthermore, the deletion of the non-residential exemption would result in lengthening an already extremely long county approval process.

For the foregoing reasons, I am returning House Bill No. 429 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 17 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 429, entitled 'A Bill for an Act Relating to Professional Engineers, Architects, Surveyors, and Landscape Architects,' passed by the legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 429 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 429 with my objections thereon to the Legislature as provided by said Section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 5th day of June, 1978.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii";

(5) "STATE OF HAWAII
EXECUTIVE CHAMBERS

June 5, 1978

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1539

Honorable Members
Ninth Legislature
State of Hawaii

Pursuant to Section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith without my approval, House Bill No. 1539 entitled, 'A Bill for an Act Relating to Bail Sureties.'

The purpose of this bill is to allow sureties to discharge their liability if, within 90 days of a defendant's non-appearance in court, he is surrendered to an appropriate law enforcement agency.

While I appreciate the fact that the legislative power, vested in the legislature, extends to all rightful subjects of legislation not inconsistent with the Constitutions of the State of Hawaii and the United States of America, I am nevertheless constrained to return the bill without my approval.

A major purpose of bail is to ensure a defendant's appearance in court when ordered. A defendant should be penalized, if he fails to so appear. However, the bill would only require him to pay whatever his non-appearance may have cost the government, so long as he shows up in court within 90 days after the date he was supposed to appear. The effect is to encourage, rather than discourage non-appearance and thus greatly impair the effectiveness of the bail procedure.

Additionally, the bill would necessitate civil hearings to determine the extent of costs to be paid by the bondsman whenever they are in dispute. These hearings would therefore add an unjustified burden to our already overburdened judicial docket.

Finally, the scope of the costs to be paid by the bondsman upon a defendant's surrender within 90 days is vague and uncertain. For example, do they include costs incident to rescheduling and requiring witnesses, prosecutors, and jurors to reappear?

While the bill would seem to benefit non-appearing defendants and their sureties, it does not further the interests

of justice and the purposes of bail.

For the foregoing reasons, I am returning House Bill No. 1539 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 17 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 1539 entitled, 'A Bill for an Act Relating to Bail Sureties,' passed by the legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1539 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1539, with my objections thereon to the legislature as provided by said Section 17 of Article III of the Constitution of the State of Hawaii.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 5th day of June, 1978.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii";

(6) "STATE OF HAWAII
EXECUTIVE CHAMBERS

June 5, 1978

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 1822-78

Honorable Members
Ninth Legislature
State of Hawaii

Pursuant to Section 17 of Article II of the Constitution of the State of

Hawaii, I am returning herewith House Bill No. 1822-78, entitled, 'A Bill for an Act Relating to Tourism.'

The purpose of this bill is to provide a vehicle by which the State will work with the visitor industry and all other governmental agencies associated with tourism to coordinate and implement comprehensive policies to achieve the State's desired goals and objectives of attaining a high quality of life for the people of Hawaii. House Bill No. 1822-78 proposes to add a new chapter titled, 'Office of Tourism,' to the Hawaii Revised Statutes. The new chapter establishes an Office of Tourism placed, for administrative purposes only, within the Department of Planning and Economic Development (DPED), establishes a Visitor Industry Council (comprised of representatives from visitor industry organizations, labor organizations, the counties, and the Director of Planning and Economic Development and the new Director of Tourism), requires the Office of Tourism in conjunction with the Visitor Industry Council to develop and periodically update a 'ten-year policy plan for tourism which shall be presented to the legislature for adoption by concurrent resolution,' and transfers the tourism promotion and development functions of DPED to the Office of Tourism.

I believe that this bill is unnecessary because there already exists a satisfactory vehicle to achieve the State's goals and objectives under Chapters 201 and 203, Hawaii Revised Statutes, and the new chapter, entitled, 'Hawaii State Planning Act,' that was added to the Hawaii Revised Statutes by Act 100 of the 1978 Session Laws. The bill is also unacceptable because it will create administrative problems.

The Director of Tourism must have at least seven years of administrative and managerial experience in the visitor industry. This qualification requirement will restrict my selection. It is an unrealistic requirement because persons who may otherwise be well qualified for the position cannot be appointed. It is also doubtful whether the superior candidates in the industry would apply for a position without permanent tenure. Moreover, the bill provides that the staff of the new Office of Tourism will be hired without regard to Chapters 76 and 77, Hawaii Revised Statutes. This provision would be disadvantageous because a permanent, continuing staff is needed, rather than one which may be subject to 'political' appointments. In addition, despite the additional program responsibilities assigned to the Office of Tourism by this bill (such as a public information program, job counseling and career programs,

a trouble-shooting program to deal with residents' tourism-related complaints, and staff assistance to the Visitor Industry Council), the Legislature did not appropriate additional funds to cover the added costs of these operating programs, nor to provide for the salary of the Director of Tourism or additional staff.

The bill also provides that the Director of Tourism and the Visitor Industry Council must be appointed prior to July 21, 1978. This time factor will likely reduce the quality of the appointment both from the necessity of a quick selection on my part and the narrow recruitment base allowed by the bill.

Furthermore, the bill proposes to replace the present Interim Tourism Advisory Council, which is advisory to the Director of Planning and Economic Development, with the Visitor Industry Council, which will not be advisory to the Director of Planning and Economic Development but will instead have final approval responsibility for the ten-year policy plan for tourism prior to submission to the Legislature. This change to an executive 'decision-making' role for the Visitor Industry Council could result in a policy plan being sent to the Legislature that contains policies contrary to those desired by this Administration.

Moreover, the bill's provisions placing the new Office of Tourism within DPED for 'administrative purposes only' and transferring the tourism functions of DPED to the new Office of Tourism indicate the Legislature's intent to remove the new Office of Tourism from the supervision and control of the Director of Planning and Economic Development. Read together with the bill's amendment to Section 201-27, Hawaii Revised Statutes, requiring the Director of Planning and Economic Development to recommend to the Director of Tourism ways and means for coordinating tourism activities, I believe that the bill creates an unworkable administrative structure under which the Governor's ability to supervise and control the executive functions of DPED through the department head would be seriously impaired, possibly in violation of Section 6 of Article IV of the Constitution of the State of Hawaii.

For the foregoing reasons, I find House Bill No. 1822-78 to be unacceptable and I am herewith returning the bill.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 17 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 1822-78, entitled, 'A Bill for an Act Relating to Tourism,' considered by the Legislature during the 1978 Regular Session, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1822-78 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1822-78 with my objections.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 5th day of June, 1978.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii";

(7) "STATE OF HAWAII
EXECUTIVE CHAMBERS

June 5, 1978

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 1998-78

Honorable Members
Ninth Legislature
State of Hawaii

Pursuant to Section 17 of Article III of the Constitution of the State of Hawaii, I am returning without my approval, House Bill No. 1998-78, entitled, 'A Bill for an Act Relating to Environmental Impact Statements.'

The purpose of this bill is to ensure that actions proposing the development

of water resources that will probably have significant environmental effects will be carefully evaluated. However, this bill merely amends Section 343-4(a)(2), Hawaii Revised Statutes, to make the requirement of an environmental impact statement additionally applicable only to actions by state or county agencies proposing any water development or diversion project that will probably have significant environmental effects.

Since Section 343-4(a)(1), Hawaii Revised Statutes, already makes the requirement of an environmental impact statement applicable to '[a]ny action which will probably have significant effects and which proposes the use of state or county lands or the use of state or county funds,' I believe that such actions by state or county agencies proposing any water development or diversion project that will probably have significant environmental effects are already subject to the requirement of an environmental impact statement under Section 343-4(a). A state or county project not involving state or county lands or funds appears very unlikely to occur.

Consequently, I believe that House Bill No. 1998-78 is ineffectual and unnecessary and I am herewith returning this bill as provided by Article III, Section 17, of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 17 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 1998-78, entitled, 'A Bill for an Act Relating to Environmental Impact Statements,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1998-78 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation

pursuant to Section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1998-78 with my objections.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 5th day of June, 1978.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii";

(8) "STATE OF HAWAII
EXECUTIVE CHAMBERS

June 5, 1978

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2170-78

Honorable Members
Ninth Legislature
State of Hawaii

Pursuant to Section 17, Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 2170-78, entitled, 'A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, As Amended.'

The purposes of this bill are to consolidate existing funds in the Department of Hawaiian Home Lands, to create new funds to account for borrowed monies and interest revenues and to increase departmental capabilities developing land and making loans.

Although the purposes and intent of the bill have merit, I find objections to the \$2,500,000 increase (from a maximum of \$5,000,000 to a maximum of \$7,500,000) in the 'additional receipts' to be effective from and after July 1, 1979 (page 19, lines 17-19). My objections are based on the following:

(1) the revenue producing capabilities of the DHHL are sufficient to administer and operate the provisions of the Hawaiian Homes Commission Act;

(2) the flexibility provided by this bill to borrow money, develop lands and make loans should preclude the need for further State appropriations to the DHHL to operate programs under the Act;

(3) the State has continually provided general obligation bond funds, without charge, to develop Hawaiian Home lands; and,

(4) the funding of educational improvement projects for children of lessees

should more properly be included in the regular, operating budget of the Department of Education so that normal fiscal controls could be exercised over those projects.

For the foregoing reasons, I am returning House Bill No. 2170-78 with my objections to the proposed increase of 'additional receipts' from the amount of \$5,000,000 to the amount of \$7,500,000, effective July 1, 1979, referred to above.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 17 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 2170-78, entitled, 'A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, As Amended,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, under Section 17 of Article III the Governor may veto or reduce any specific item or items in any bill which appropriates money for specific item or items in any bill which appropriates money for specific purposes; and

WHEREAS, House Bill No. 2170-78 appropriates money for specific purposes; and

WHEREAS, a certain appropriation item in House Bill No. 2170-78 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2170-78 with my objections on a certain appropriation item listed therein to the Legislature as provided by said Section 17 of Article III

of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 5th day of June, 1978.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii";

(9) "STATE OF HAWAII
EXECUTIVE CHAMBERS

June 5, 1978

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2191-78

Honorable Members
Ninth Legislature
State of Hawaii

Pursuant to Section 17, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2191-78, entitled, 'A Bill for an Act Relating to Administration of Taxes.'

The purpose of this bill is to assure the collection from the consignees of motor vehicles imported into the State of any Hawaii use tax applicable to such motor vehicles. The bill seeks to effectuate such purpose by proscribing any common carrier, or any officer, agent, employee or representative thereof, from releasing and delivering any and all motor vehicles transported into the State without presentation by the consignee of either (1) a certificate signed by the Director of Taxation showing that that said consignee has paid all applicable use taxes or (2) a general excise tax license. There are no enforcement penalties provided to insure that common carriers will comply with the requirements of this bill.

If enacted this bill will impose a burden upon all persons who import any motor vehicle into the State for whatever purpose or use. The burden will be greater upon persons without a general excise tax license, inasmuch as such persons will be required to obtain from the Department of Taxation a certificate evidencing that they have paid the Hawaii use tax applicable to such vehicle before they can obtain its release. A person with a Hawaii general excise tax license will be able to obtain the release of his vehicle by merely showing such license to the common carrier, the optimistic premise being that any person with a general excise tax license will properly

report and pay the applicable use tax with his monthly or quarterly general excise and use tax return. As a result, while persons with any general excise tax license will be permitted to voluntarily comply with the use tax law at their convenience, persons without a general excise tax license will be forced into compliance by withholding access to their motor vehicle unless use taxes, if any are applicable, have been paid prior to release of the vehicle.

The Department of Taxation reports that it presently enforces the collection of these use taxes by utilizing registration information provided by the Motor Vehicle Divisions of the counties and also by inspecting bills of lading and other records of common carriers with respect to motor vehicles imported into the State. In the Department's experience this method has insured the collection of use taxes on imported motor vehicles in nearly all cases. Inasmuch as the current procedure of the Department of Taxation is working satisfactorily, it is unnecessary to inconvenience and burden taxpayers, as well as to impose additional manpower requirements upon the Department, in an attempt to achieve total compliance by those importer-taxpayers who do not possess a general excise tax license.

The bill also contains certain technical defects which do not affect the validity of the bill but which may raise questions as to ambiguity.

For the foregoing reasons, I am returning House Bill No. 2191-78 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 17 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 2191-78, entitled, 'A Bill for an Act Relating to Administration of Taxes', passed by the legislature was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2191-78 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 17 of Article III of the Constitution, giving notice of my plan to return House Bill No. 2191-78 with my objections thereon to the Legislature as provided in said Section 17 of Article III of the Constitution of the State of Hawaii.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 5th day of June, 1978.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 132 informing the House that on June 8, 1978, he signed the following bills into law:

Senate Bill No. 380 as Act 230, entitled: "RELATING TO RETIREMENT FOR SEWER WORKERS";

Senate Bill No. 893 as Act 231, entitled: "RELATING TO PILOTAGE";

House Bill No. 2465-78 as Act 232, entitled: "RELATING TO GASOLINE DEALERS".

Gov. Msg. No. 133 informing the House that on June 17, 1978, he signed the following bills into law:

Senate Bill No. 2154-78 as Act 233, entitled: "RELATING TO COSMETOLOGY";

Senate Bill No. 2523-78 as Act 234, entitled: "RELATING TO HOTELS";

Senate Bill No. 2567-78 as Act 235, entitled: "RELATING TO EMPLOYMENT SECURITY";

House Bill No. 145 as Act 236, entitled: "RELATING TO TOURISM";

House Bill No. 1803-78 as Act 237, entitled: "RELATING TO UNEMPLOYMENT";

House Bill No. 2480-78 as Act 238, entitled: "RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS";

House Bill No. 2545-78 as Act 239, entitled: "RELATING TO SCHOOL BUS CONTRACTS";

House Bill No. 2727-78 as Act 240, entitled: "RELATING TO EMPLOYEES

PAID FROM CERTAIN FEDERAL FUNDS AND AMENDING CHAPTER 88, HAWAII REVISED STATUTES";

House Bill No. 3049-78 as Act 241, entitled: "RELATING TO THE STATE FIRE MARSHAL";

House Bill No. 227 as Act 242, entitled: "RELATING TO THE FRANCHISE INVESTMENT LAW".

Gov. Msg. No. 134 informing the House that on June 20, 1978, he signed the following bills into law:

House Bill No. 3039-78 as Act 243, entitled: "MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1977 TO JUNE 30, 1979";

Senate Bill No. 2202-78 as Act 244, entitled: "RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS";

Senate Bill No. 1820-78 as Act 245, entitled: "RELATING TO STANDARDS OF CONDUCT, INCLUDING DISCLOSURE OF FINANCIAL INTERESTS BY LEGISLATORS AND STATE EMPLOYEES";

House Bill No. 1779-78 as Act 246, entitled: "MAKING APPROPRIATIONS TO THE JUDICIARY FOR THE FISCAL BIENNIUM JULY 1, 1977, TO JUNE 30, 1979, AND AUTHORIZING THE ISSUANCE OF BONDS";

House Bill No. 2432-78 as Act 247, entitled: "RELATING TO THE GARNISHMENT OF PROPERTY AND CHOSES IN ACTION".

Gov. Msg. No. 135 informing the House that pursuant to Section 17 of Article III of the Constitution of the State of Hawaii, House Bill No. 258, entitled: "A Bill for an Act Relating to the Definition of Death," became law (Act 248) without his signature on June 20, 1978, and noting as follows:

"As you know, the purpose of this bill is to establish and provide a statutory definition of the medical death of a human being.

Traditionally, death has been deemed to occur when a licensed physician determines that there has been an 'irreversible cessation of spontaneous respiratory and circulatory functions.'

However, the advances in medical life supporting technology have made it possible to artificially sustain the respiratory and circulatory functions. This has made the diagnosis of death

much more difficult from both a medical and legal point of view. This bill attempts to deal with the problem of providing that in the event that artificial means of support preclude a determination that respiratory and circulatory functions have ceased, a human body shall be considered dead if the person has experienced irreversible cessation of brain function. However, the final version of the bill included a condition considered by the medical community as being unnecessarily restrictive. This pertained to the requirement in subsection (b) that a neurologist or neurosurgeon must be called in consultation prior to determining irreversible cessation of brain function. The Hawaii Medical Association considered this requirement as unnecessary since the attending physician should determine what assistance he may need, if any, in determining brain death. Further, problems might arise on neighbor islands on the availability of special equipment and in obtaining specific expertise where neurologists and neurosurgeons are not readily available.

However, the HMA, representing about 700 state-licensed physicians, finally accepted the bill as reported out as 'better than no bill at all.' Many doctors also feel that with a precise definition of death, they would be less vulnerable to malpractice suits. It is also pointed out that the law contains a provision for periodic mandatory review in subsection (e) leading to possible amendments should experience so dictate.

After much thought and many discussions with those for and against the bill, I have decided to let the bill become law without my signature. I have asked the Health Department to monitor very closely the impact of the new law during the coming months. At present, it is my intention to request the next session of the legislature to amend the law by deleting the requirement of having a neurologist or neurosurgeon as a consultant in determining brain death.

For the foregoing reasons, I have allowed House Bill No. 258 to become law (Act 248) without my signature.

With warm personal regards, I remain.

Yours very truly,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI".

Gov. Msg. No. 136 informing the House

of certain inadvertent errors uncovered in House Bill No. 3039-78, the Supplemental Appropriations Act, and reading as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 21, 1978

Honorable James H. Wakatsuki
Speaker, House of Representatives
Ninth State Legislature
State Capitol, Room 335
Honolulu, Hawaii 96813

Dear Speaker Wakatsuki:

This is a follow-up to your joint letter of April 25, 1978, bringing to my attention certain inadvertent errors uncovered in House Bill No. 3039-78, the Supplemental Appropriations Act. In my letter to you dated May 8, 1978, I had promised to keep you apprised on the progress regarding these matters.

Although I had intended to, where permissible, invoke the authority of Section 11 of House Bill No. 3039-78 to correct such manifest errors, staff review indicates that except for error reflected in the amount for EDN 106, none of the other errors would constitute manifest errors in the meaning of Section 11.

I have invoked the authority of Section 11 to correct the inadvertent error of EDN 106, amending the appropriation of \$2,133,240 for fiscal year 1978-79 to read \$2,083,240.

As for the inadvertent errors in expending agency designations, the Administration intends to take the following actions to accomplish legislative intent:

Errors in Expending Agency Designations:

AGR 192 should be EDN 207 for Hawaii's Future Farmers of America...\$20,000

Proposed Action:

The Department of Education will consult with the Department of Agriculture when allocating funds to the Hawaii's Future Farmers of America.

BUF 802 should be BUF 881 for grant-in-aid to Honolulu Symphony Society...\$100,000

Proposed Action:

Because the provisions of Section 99

of Act 10, SpSLH 1977 allows the transfer of program appropriations within, \$100,000 will be transferred from BUF 802 to BUF 881.

ATG 100 should be GOV 102 for Project 'EMBER', energy awareness program...\$24,000

Proposed Action:

The Attorney General's Office will coordinate this matter with the Governor's Office by contractual or other appropriate arrangement.

AGR 101 should be AGR 192 for Farmers Market and Centralized Distribution Center...\$30,000

Proposed Action:

The transfer of \$30,000 from AGR 101 to AGR 192 will be made as permitted under Section 99 transfer provision.

GOV 109 should be LNR 805 for Puako Reef Survey...\$30,000

Proposed Action:

The Governor's Office will arrange with the Department of Land and Natural Resources for the study by contractual or other appropriate arrangement.

SOC 802 should be HTH 501 for grant-in-aid to Lanakila Rehabilitation Center...\$47,208

Proposed Action:

Because this appropriation item involves a grant, the Department of Social Services and Housing can administer the grant without difficulty.

PED 102 should be AGR 192 for Local Beef Marketing Program...\$100,000

Proposed Action:

The Department of Planning and Economic Development will coordinate this matter with the Department of Agriculture to obtain marketing services as intended.

Other Inadvertent Errors:

Part III. Section 4 Tourism Program (PED 113) should read:

The expending agency shall expend \$2,083,240 instead of \$2,133,240 for fiscal year 1978-79.

Proposed Action:

The Department of Planning and Economic Development is advised of this error and will handle the matter administratively.

Standing Committee Report reflecting \$100,000 for ATG 100 for personnel compensation realignment should be corrected to read:

\$80,000 for compensation realignment
\$70,000 for special litigation expenses

Proposed Action:

The Attorney General's Office is advised of this error and will handle the matter administratively.

Please be advised that although every attempt will be made to administratively carry out the intent of the Legislature regarding the above appropriation item, in all likelehood, additional general fund authorizations under House Bill No. 3039-78 and other general fund authorizations under specific appropriation measures approved by the 1978 legislative session will exceed projected general fund resources estimated by the Administration to be available for fiscal year 1978-79.

In that event, it will be necessary for the expending agencies to consider the release of these appropriation items on a priority basis within general fund resources available to the respective State agencies.

With warm personal regards, I remain,

Yours very truly,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI".

Gov. Msg. No. 137 transmitting copies of the annual report prepared by the Hawaii Public Employment Relations Board in accordance with Section 89-5, HRS.

Gov. Msg. No. 138 transmitting copies of a report prepared by the Department of Agriculture and the Department of Health in response to House Resolution No. 476 (1978), requesting a joint report from the State Departments of Agriculture and Health on progress achieved and measures implemented to permit the lifting of the ban on the sale of hog viscera on Oahu and to preclude the need for future bans, and also copies of a report prepared by the Department of Agriculture in response to Senate Resolution No. 161 (1977), relating to roadside vending in Waimanalo by the Hui Mea Hana O Hawaii.

Gov. Msg. No. 139 transmitting copies of a report prepared by the Department of Land and Natural Resources, entitled, "Hawaiian Forest Products".

DEPARTMENTAL COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Dept. Com. No. 18 from Wayne Minami,
Director, Department of Regulatory
Agencies, acknowledging receipt of a
copy of House Resolution No. 536.

Dept. Com. No. 19 from Douglas S.
Yamamura, Office of the Chancellor,
University of Hawaii at Manoa,
acknowledging receipt of House
Resolution No. 435 and House
Concurrent Resolution No. 87.

Dept. Com. No. 20 from Douglas S.
Yamamura, Office of the Chancellor,
University of Hawaii at Manoa,
acknowledging receipt of House
Resolution No. 275.

Dept. Com. No. 21 from Douglas S.
Yamamura, Office of the Chancellor,
University of Hawaii at Manoa,
acknowledging receipt of House

Resolution No. 177.

Dept. Com. No. 22 from William R.
Furtick, Dean, College of Tropical
Agriculture, University of Hawaii,
acknowledging receipt of House
Concurrent Resolution No. 150.

Dept. Com. No. 23 from Wayne Minami,
Director, Department of Regulatory
Agencies, acknowledging receipt of a
copy of House Resolution No. 733.

Dept. Com. No. 24 from Wayne Minami,
Director, Department of Regulatory
Agencies, acknowledging receipt of a
copy of House Resolution No. 648.

Dept. Com. No. 25 from Wayne Minami,
Director, Department of Regulatory
Agencies, acknowledging receipt of
House Concurrent Resolution No. 129.

MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Misc. Com. No. 39 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Concurrent Resolution No. 97.

Misc. Com. No. 40 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Resolution No. 272.

Misc. Com. No. 41 from Fowler C. West, Staff Director, acknowledging receipt of a copy of House Resolution No. 467.

Misc. Com. No. 42 from Dolores Garcia Winger, acknowledging receipt of a House Resolution extending condolences on the death of her father, the late Joe Ruiz Garcia.

Misc. Com. No. 43 from Ramon Duran, Chief Planning Officer, City and County of Honolulu, transmitting a report on the status of projects for the improvement of Waikiki.

Misc. Com. No. 44 from the Honorable Thomas P. O'Neill, Jr., Speaker, U.S. House of Representatives, acknowledging receipt of a copy of House Resolution No. 467.

Misc. Com. No. 45 from the Honorable Walter F. Mondale, Vice President of the United States, acknowledging receipt of a copy of House Resolution No. 467.

Misc. Com. No. 46 from the Honorable Elmer F. Cravalho, Mayor, County of Maui, acknowledging receipt of House Concurrent Resolution No. 131 and House Resolution Nos. 205 and 577.

Misc. Com. No. 47 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of a copy of House Resolution No. 272.

Misc. Com. No. 48 from Rex I. Wells, Chief, Environmental Programs Division, U.S. Department of Transportation, acknowledging receipt of House Resolution No. 329.

Misc. Com. No. 49 from Terry L. Leitzell, Assistant Administrator for Fisheries, United States Department of Commerce, acknowledging receipt and responding to House Resolution No. 119, which requests establishment of a 200-mile fishery conservation zone

(FCZ) around the entire Hawaiian archipelago, and recommends that foreign retention of billfish be prohibited within the entire FCZ.

Misc. Com. No. 50 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Resolution No. 467, calling for increased Federal support for the Federally mandated agricultural inspection program in Hawaii.

Misc. Com. No. 51 from Patrick H. DeLeon, Legislative Assistant to Senator Daniel Inouye, transmitting a copy of letter from the U.S. Immigration and Naturalization Service, dated April 26, 1978, relative to House Resolution No. 272, requesting Federal health screening measures for returning U.S. citizens.

Misc. Com. No. 52 from the Honorable Spark Matsunaga, United States Senator, transmitting a copy of letter from Terry L. Leitzell, Assistant Administrator for Fisheries, United States Department of Commerce, dated April 21, 1978, relative to House Resolution No. 119, relating to the management of fish in the Hawaiian archipelago.

Misc. Com. No. 53 from Laurie A. Loomis, Legislative Assistant to Senator Daniel K. Inouye, acknowledging receipt of House Resolution No. 53, requesting an increase in CETA appropriations.

Misc. Com. No. 54 from Claro R. Capili, Sr., Managing Director, County of Maui, acknowledging receipt of a copy of House Resolution No. 529, relating to encouraging research in tropical agriculture in Hawaii to help alleviate world hunger.

Misc. Com. No. 55 from C. Dee Clingman, Director, Food Protection Programs, acknowledging receipt of House Resolution No. 522.

Misc. Com. No. 56 from Claro R. Capili, Sr., Managing Director, County of Maui, acknowledging receipt of House Resolution No. 495, requesting the incorporation of provisions in zoning and other appropriate ordinances and rules to protect the sunrights of property owners.

Misc. Com. No. 57 from the Honorable Vern Riffe, Speaker, Ohio House of Representatives, acknowledging receipt of a copy of House Resolution No. 652, expressing appreciation to legislative leaders for their support in Hawaii's

efforts to acquire an emergency oil reserve.

Misc. Com. No. 58 from the Honorable Daniel K. Akaka, Member of Congress, acknowledging receipt of House Resolution No. 466 and House Concurrent Resolution No. 93.

Misc. Com. No. 59 from the Honorable Daniel K. Akaka, Member of Congress, acknowledging receipt of House Resolution No. 596, respectfully urging President Carter and Hawaii's Congressional delegation to permit the continuance of the resource conservation and development areas program authorized under Public Law 87-703.

Misc. Com. No. 60 from Claro R. Capili, Sr., Managing Director, County of Maui, acknowledging receipt of a copy of House Concurrent Resolution No. 92, requesting the provisions of additional Federal resources to strengthen Federal agricultural related inspection requirements at selected major airports in the State of Hawaii.

Misc. Com. No. 61 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of House Resolution No. 331 and House Concurrent Resolution No. 69, expressing support for S. 1820, the Natural Diversity Act.

Misc. Com. No. 62 from Shannon P. Cockett, Special Assistant to Senator Daniel K. Inouye, transmitting a copy of letter from Secretary of the Navy, W. Graham Clayton, Jr., dated July 27, 1978, relative to House Resolution No. 249, urging the Federal government to permit civilian use of Pearl Harbor for recreational purposes.

Misc. Com. No. 63 from the Honorable Walter F. Mondale, Vice President of the United States, acknowledging receipt of House Concurrent Resolution No. 92.

Misc. Com. No. 64 from the Honorable Thomas P. O'Neill, Jr., Speaker, U.S. House of Representatives, acknowledging receipt of House Concurrent Resolution Nos. 28, 95, 471 and 76.

Misc. Com. No. 65 from the Honorable Walter F. Mondale, Vice President of the United States, acknowledging receipt of House Concurrent Resolution Nos. 95 and 28.

Misc. Com. No. 66 from the Honorable Thomas P. O'Neill, Jr., Speaker, U.S. House of Representatives, acknowledging receipt of a copy of House Concurrent Resolution No. 92.

Misc. Com. No. 67 from Tad T. Miura,

County Clerk, County of Kauai, acknowledging receipt of House Resolution Nos. 567 and 34.

Misc. Com. No. 68 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Concurrent Resolution No. 8, urging support for the continued use of ethylene dibromide for use in papaya, pineapple and other agricultural production.

Misc. Com. No. 69 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Concurrent Resolution No. 35 and House Resolution No. 128, requesting additional financial support for the State archives.

Misc. Com. No. 70 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of House Concurrent Resolution No. 28, regarding the introduction of legislation that will provide adequate funds to border agencies using space at the international airports and harbors.

Misc. Com. No. 71 from Claro R. Capili, Sr., Managing Director, County of Maui, acknowledging receipt of a copy of House Concurrent Resolution No. 139, respectfully urging President Carter and Hawaii's Congressional delegation to permit the continuance of the resource conservation and development areas program authorized under Public Law 87-703.

Misc. Com. No. 72 from the Honorable Muriel Humphrey, United States Senator, acknowledging receipt of a resolution adopted in memory of her husband, the late Hubert Humphrey.

Misc. Com. No. 73 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Concurrent Resolution No. 28, relating to the cost of maintenance of inspection facilities at U.S. ports of entry.

Misc. Com. No. 74 from the Honorable Daniel K. Inouye, United States Senator, transmitting a copy of letter from the United States Department of Justice, Immigration and Naturalization Service, dated May 12, 1978, relative to House Resolution No. 272.

Misc. Com. No. 75 from the Honorable Daniel K. Akaka, Member of Congress, acknowledging receipt of House Concurrent Resolution No. 139.

Misc. Com. No. 76 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of and responding to House Concurrent Resolution No. 95

and House Resolution No. 471, which requests that the United States Congress enact appropriate legislation which will transfer total responsibility for financing public assistance programs to the Federal government.

Misc. Com. No. 77 from Ronald B. Iida, Chairperson, Board of Water Supply, County of Kauai, acknowledging receipt of House Concurrent Resolution No. 27, requesting a study and recommendations for an agricultural water policy for the State of Hawaii.

Misc. Com. No. 78 from Fowler C. West, Staff Director, Office of Thomas S. Foley, Member of Congress, acknowledging receipt of and responding to House Concurrent Resolution No. 92.

Misc. Com. No. 79 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Concurrent Resolution No. 92.

Misc. Com. No. 80 from Bob Stewart, Administrative Assistant, Office of Governor Julian M. Carroll, acknowledging receipt of a copy of House Concurrent Resolution No. 123, commemorating grandparents.

Misc. Com. No. 81 from Raymond C. Scheppach, Assistant Director, Natural Resources and Commerce Division, U.S. Congress, acknowledging receipt of and responding to House Resolution No. 93, expressing support for the establishment and operation of a mass fruit fly rearing laboratory on Oahu.

Misc. Com. No. 82 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Concurrent Resolution No. 44.

Misc. Com. No. 83 from Doyle Conner, Commissioner, Department of Agriculture, State of Florida, acknowledging receipt of House Concurrent Resolution No. 93 and House Resolution No. 466.

Misc. Com. No. 84 from Jack H. Watson, Jr., The White House, acknowledging receipt of House Resolution Nos. 20, 596 and 471, and House Concurrent Resolution Nos. 76 and 95.

Misc. Com. No. 85 from Dale Bumpers, Office of Warren G. Magnuson, United States Senator, acknowledging receipt of a copy of House Concurrent Resolution supporting S. 1820, the Natural Diversity Act.

Misc. Com. No. 86 from the Honorable James A. Rhodes, Governor, State of Ohio, acknowledging receipt of a copy of House Resolution No. 123.

Misc. Com. No. 87 from Shannon P. Cockett, Special Assistant to Senator Daniel K. Inouye, acknowledging receipt of and responding to a recent communication expressing the House of Representatives' support for S. 129.

Misc. Com. No. 88 from T.W. Edminster, Deputy Director, Federal Research, U.S. Department of Agriculture, acknowledging receipt of House Resolution No. 466 and House Concurrent Resolution No. 93, relating to the fruit fly eradication program.

Misc. Com. No. 89 from the Honorable Walter F. Mondale, Vice President of the United States, acknowledging receipt of House Resolution No. 471.

Misc. Com. No. 90 from the Honorable Jerry Apodaca, Governor, State of New Mexico, acknowledging receipt of House Concurrent Resolution No. 123, commemorating grandparents.

Misc. Com. No. 91 from Larry E. Murphy, Senior Executive Assistant, Office of the Governor, Commonwealth of Virginia, acknowledging receipt of a copy of House Concurrent Resolution No. 123, honoring grandparents.

Misc. Com. No. 92 from Christopher N. Visher, Legislative Assistant to Senator Daniel K. Inouye, acknowledging receipt of a copy of House Concurrent Resolution No. 76.

Misc. Com. No. 93 from Christopher N. Visher, Legislative Assistant to Senator Daniel K. Inouye, acknowledging receipt of a copy of House Resolution No. 529, expressing support for the Hunger Project.

Misc. Com. No. 94 from Eiler C. Ravnholt, Administrative Assistant to Senator Daniel K. Inouye, acknowledging receipt of a copy of House Resolution No. 269, urging that the Federal government repeal the Federal excise tax on telephone service.

Misc. Com. No. 95 from Jack H. Watson, Jr., The White House, acknowledging receipt of a copy of House Concurrent Resolution No. 139.

Misc. Com. No. 96 from Glenn D. Paige, AI Hawaii Coordinator, acknowledging receipt of a copy of House Resolution No. 268, extending congratulations to Amnesty International.

Misc. Com. No. 97 from Eiler C. Ravnholt, Administrative Assistant to Senator Daniel K. Inouye, acknowledging receipt of House Concurrent Resolution No. 66 and House Resolution No. 324, expressing the House of Representatives' desire to

have the United States government transfer the title of the "Voice of America" land over to the State of Hawaii for use by its senior citizens.

Misc. Com. No. 98 from David M. Peters, Executive Assistant to Senator Daniel K. Inouye, acknowledging receipt of House Resolution Nos. 466 and 596, and House Concurrent Resolution Nos. 93 and 139.

Misc. Com. No. 99 from Eiler C. Ravnholt, Administrative Assistant to Senator Daniel K. Inouye, acknowledging receipt of a copy of House Concurrent Resolution No. 46, supporting the public service employment provisions of the Comprehensive Employment and Training Act now undergoing Congressional reauthorization.

Misc. Com. No. 100 from the Honorable James R. Thompson, Governor, State of Illinois, acknowledging receipt of a copy of House Concurrent Resolution No. 123, honoring grandparents.

Misc. Com. No. 101 from the Honorable Frank F. Fasi, Mayor, City and County of Honolulu, responding to House Resolution No. 517, which urges the City and County of Honolulu to assume responsibility for the operation and maintenance of the various non-public sewage treatment plants and related sewage systems in the Ewa Beach, Oahu, area.

Misc. Com. No. 102 from Eiler C. Ravnholt, Administrative Assistant to Senator Daniel Inouye, acknowledging receipt of and responding to a recent communication regarding the future of Follow Through.

Misc. Com. No. 103 from Eiler C. Ravnholt, Administrative Assistant to Senator Daniel Inouye, transmitting a copy of letter from William H. Foege, M.D., Assistant Surgeon General, Director, Public Health Service, dated May 26, 1978, relative to House Resolution No. 272.

Misc. Com. No. 104 from Paul De Falco, Jr., Regional Administrator, U.S. Environmental Protection Agency, acknowledging receipt of House Concurrent Resolution No. 8.

Misc. Com. No. 105 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Concurrent Resolution No. 30, requesting that we assist the sugar industry in meeting the standards of the U.S. Environmental Protection Agency.

Misc. Com. No. 106 from Bob Bergland,

Secretary, Department of Agriculture, acknowledging receipt of a copy of House Concurrent Resolution No. 92.

Misc. Com. No. 107 from Richard L. Crain, Chief, Wage, Excise and Administrative Provisions Branch, Internal Revenue Service, acknowledging receipt of a copy of House Resolution No. 269.

Misc. Com. No. 108 from Richard B. Roe, Acting Chief, Marine Mammal and Endangered Species Division, U.S. Department of Commerce, acknowledging receipt of House Resolution No. 404.

Misc. Com. No. 109 from William L. Smith, Director, Teacher Corps, Department of Health, Education, and Welfare, acknowledging receipt of House Resolution No. 532.

Misc. Com. No. 110 from Douglas J. Bennet, Jr., Assistant Secretary for Congressional Relations, Department of State, acknowledging receipt of House Concurrent Resolution No. 110, relating to the management of billfish off the coast of Hawaii.

Misc. Com. No. 111 from Allan Grant, President, American Farm Bureau Federation, acknowledging receipt of a copy of House Resolution No. 715, honoring and commending Wallace M. Nitta.

Misc. Com. No. 112 from Eiler C. Ravnholt, Administrative Assistant to Senator Daniel Inouye, acknowledging receipt of House Concurrent Resolution Nos. 83, 147, 562 and 110, and House Resolution Nos. 404, 652 and 384.

Misc. Com. No. 113 from Spark M. Matsunaga, United States Senator, acknowledging receipt of and responding to House Concurrent Resolution No. 95, requesting Congress to enact legislation transferring total responsibility for financing public assistance programs to the Federal government.

Misc. Com. No. 114 from Spark M. Matsunaga, United States Senator, acknowledging receipt of a copy of House Concurrent Resolution No. 44, supporting the continuation of the Follow Through Program.

Misc. Com. No. 115 from Richard J. Daschbach, Chairman, Federal Maritime Commission, acknowledging receipt of a copy of House Concurrent Resolution No. 129.

Misc. Com. No. 116 from Terry I. Leitzell, Assistant Administrator for Fisheries, U.S. Department of Commerce, acknowledging receipt of and responding

to House Concurrent Resolution No. 110, concerning the Preliminary Fishery Management Plan (PMP) for Pacific billfish and oceanic sharks.

Misc. Com. No. 117 from the Honorable Spark Matsunaga, United States Senator, transmitting a copy of letter from Dr. William H. Foege, Assistant Surgeon General and Director, Center for Disease Control, Department of Health, Education, and Welfare, dated May 26, 1978, relating to House Resolution No. 272, requesting Federal health screening measures for returning U.S. citizens.

Misc. Com. No. 118 from the Honorable Daniel K. Inouye, United States Senator, transmitting a copy of letter from Mr. Stanford N. Fertig, Project Manager, Pesticide Usage and Impact, U.S. Department of Agriculture, dated June 14, 1978, relating to the continued registration and use of ethylene dibromide (EDB).

Misc. Com. No. 119 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of a copy of House Resolution 596 and House Concurrent Resolution No. 139, respectfully urging President Carter and Hawaii's Congressional delegation to permit the continuance of the resource conservation and development areas program authorized under Public Law 87-703.

Misc. Com. No. 120 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of a copy of House Resolution No. 324 and House Concurrent Resolution No. 66, requesting the Federal government to transfer the title ownership of the land and building in Maile, Oahu, popularly known as the "Voice of America" land, over the State of Hawaii for use by its senior citizens.

Misc. Com. No. 121 from the Honorable Daniel K. Inouye, United States Senator, transmitting a copy of letter from Mr. Dale E. Hathaway, Acting Secretary, Department of Agriculture, dated June 26, 1978, relative to House Concurrent Resolution No. 92.

Misc. Com. No. 122 from Patrick J. O'Donnell, Clerk of the Legislature, Nebraska Unicameral, transmitting a copy of engrossed Legislative Resolution No. 23, adopted by the Nebraska Unicameral on June 29, 1978.

Misc. Com. No. 123 from the Honorable Spark M. Matsunaga, United States Senator, transmitting press release and fact sheet on the Kaloko-Honokohau National Cultural Park proposal.

Misc. Com. No. 124 from the Honorable Daniel K. Inouye, United States Senator,

transmitting a copy of letter from F. J. Mulhern, Administrator, U.S. Department of Agriculture, dated July 11, 1978, relative to House Concurrent Resolution No. 28, relating to the cost of maintenance of inspection facilities at U.S. ports of entry.

Misc. Com. No. 125 from the Honorable Daniel K. Inouye, United States Senator, transmitting a copy of letter from R.E. Chasen, Commissioner of Customs, Department of the Treasury, dated July 17, 1978, relative to House Concurrent Resolution No. 28, relating to the cost of maintenance of inspection facilities at U.S. ports of entry.

Misc. Com. No. 126 from the Honorable Daniel K. Inouye, United States Senator, transmitting a copy of letter from Leonel J. Castillo, Commissioner, U.S. Department of Justice, Immigration and Naturalization Service, dated July 31, 1978, relative to House Concurrent Resolution No. 28, relating to the cost of maintenance of inspection facilities at U.S. ports of entry.

Misc. Com. No. 127 from Albert L. Alford, Assistant Commissioner for Legislation, Department of Health, Education, and Welfare, responding to a communication relating to House Resolution No. 128.

Misc. Com. No. 128 from the Honorable Daniel K. Inouye, United States Senator, transmitting a copy of letter from P.R. "Bobby" Smith, Assistant Secretary for Marketing Services, Department of Agriculture, dated August 7, 1978, responding to a communication concerning the predeparture agricultural inspection program at the "outer-island" airports in Hawaii.

Misc. Com. No. 129 from the Honorable Spark M. Matsunaga, United States Senator, transmitting a copy of letter from Robert T. Griffin, Deputy Administrator, General Services Administration, dated July 24, 1978, relative to House Resolution No. 324 and House Concurrent Resolution No. 66, requesting the Federal government to transfer the title ownership of the land and building in Maile, Oahu, popularly known as the "Voice of America" land, over to the State of Hawaii for use by its senior citizens.

Misc. Com. No. 130 from James S. Ushijima, County Clerk, County of Maui, transmitting a certified copy of Resolution No. 78-123, adopted by the Council of the County of Maui on October 6, 1978, supporting and endorsing amendment to regulation 40, concerning the establishment, protection and conservation of the Manele-Hulopoe marine life conservation district, Island of Lanai.