

FORTIETH DAY

Wednesday, March 21, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Mr. Bill Smith, representing the Ewa Bahai Community, after which the Roll was called showing all members present with the exception of Representatives Garcia and Sakamoto, who were excused.

By unanimous consent reading of the Journal of the Thirty-Ninth Day was deferred.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 230) transmitting Senate Concurrent Resolution No. 2, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED NATIONAL EFFORT TO REPLACE THE CATALYTIC CONVERTERS ON AUTOMOBILES WITH ALTERNATIVE DEVICES IN THE INTEREST OF PROTECTING THE NATION'S CONSUMERS AND SERVING AN IMPORTANT PUBLIC PURPOSE", which was adopted by the Senate on March 20, 1979, was read by the Clerk and placed on file.

By unanimous consent, action on Senate Concurrent Resolution No. 2, SD 1, was deferred until later in the calendar.

MISCELLANEOUS COMMUNICATION

A communication from the Commission on Legislative Salary (Misc. Com. No. 25) transmitting the report of the 1978 Commission on Legislative Salary, was read by the Clerk and was placed on file.

At this time, the Chair stated:

"The Chair would like to have inserted into the Journal for the record that the House has received the Salary Commission's recommendation, and that the recommendations have been distributed to all members for consideration."

Representative Suwa was then recognized:

"Mr. Speaker, at this time I move that the subject matter you have just pointed out, as to the Salary Commission report, that the House consider this in two parts. Mr. Speaker, at this time I move that the Salary Commission report, the regular salary portion and the incentive portion, be separated for the House consideration."

Representative Kunimura seconded the motion.

At 11:39 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:41 o'clock a.m.

Representative Suwa then stated:

"Mr. Speaker, before I withdraw my motion, I understand that the rest of the members of the House may need time to read this matter of the proposal, Salary Commission proposal; therefore, I will withdraw my motion, but, Mr. Speaker, in...before I move to withdraw my motion, Mr. Speaker, it is one of the most asinine recommendations as to the part of optional incentive portion of the legislative salary. When we are talking about the legislative salary expense, the minority strongly questioned the portion of the expense, Mr. Speaker, as to the total appropriation we are making and if this is to be considered, Mr. Speaker, any savings to be applied to our salary, it should go back to the taxpayer. The expense should be expense of the legislature and not necessary to increase the salary of the legislature, Mr. Speaker. Therefore, with the understanding that the members will have the opportunity and time to read this, and we will again have the opportunity to separate this measure, I withdraw my motion, Mr. Speaker."

Representative Kunimura:

"I would like to withdraw my second with a few words before I withdraw my second. What the hell they trying to do, make a commission merchant out of this body?"

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

Representative K. Yamada introduced students from several Big Island schools who were at the capital to observe the legislature in process. They were accompanied by Mr. John Sosa and Mr. Tom Cummings.

Representative Masutani introduced twenty students from Aiea High School accompanied by their teachers, Norman Minahara and Debbie Teves.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 572 and 573) concurrent resolutions (H.C.R. Nos. 138 and 139) and Senate concurrent resolution (S.C.R. No. 2) were disposed of as follows:

H.R. Nos. Referred to:

572 Committee on Judiciary,
 then to Committee on Legislative
 Management

573 Committee on Youth and
 Elderly Affairs, then to Committee
 on Finance

H.C.R. Nos.

138 Committee on Judiciary,
 then to Committee on Legislative
 Management

139 Committee on Employment
 Opportunities and Labor Relations

S.C.R. No.

2 Committee on Ecology and
 Environmental Protection

COMMITTEE REASSIGNMENTS

H.R. Nos. Re-Referred to:

155 Jointly to Committee on
 State General Planning and Committee
 on Ecology and Environmental
 Protection, then to Committee
 on Legislative Management

559 Jointly to Committee on
 Energy and Committee on Housing,
 then to Committee on Legislative
 Management

566 Jointly to Committee on
 Energy and Committee on Public
 Employment and Government

Operations, then to Committee
on Finance

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 767) informing the House that House Resolution Nos. 567 to 579, House Concurrent Resolution Nos. 138 and 139 and Standing Committee Report Nos. 740 to 766 have been printed and distributed.

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

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 768) recommending that H.R. No. 308 be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.R. No. 308, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE AVAILABILITY OF MOTOR TRUCK SCALES, FOR DETERMINING TRUCK WEIGHT COMPLIANCE", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 769) recommending that H.R. No. 82, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.R. No. 82, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE STATE OF HAWAII BRIDGE REPLACEMENT PROGRAM", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 770) recommending that H.R. No. 324, as amended in HD 1, be referred to the Committee on Finance.

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

HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF PRESENT STATE RECRUITMENT AND HIRING PRACTICES TO DETERMINE THE NEED FOR GREATER COORDINATION BETWEEN STATE AGENCIES", was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 771) recommending that H.R. No. 305, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 305, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE SPECIAL NEEDS OF STUDENTS IN SMALLER RURAL SCHOOLS", was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 772) recommending that H.R. No. 28, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 28, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE 1978 CONSTITUTIONAL AMENDMENT CONCERNING THE BOARD OF EDUCATION'S MANAGEMENT OF PUBLIC SCHOOL SYSTEM", was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 773) recommending that H.R. No. 32, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 32, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE DEPARTMENT OF EDUCATION'S PUBLIC AWARENESS PROGRAMS", was referred to the Committee on Finance.

Representatives Segawa and Blair, for the Committees on Health and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 774) recommending that H.R. No. 322, as amended in HD 1, be referred to the Committee

on Finance.

On motion by Representative Segawa, seconded by Representative Blair and carried, the joint report of the Committees was adopted and H.R. No. 322, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE BOARD OF NURSING TO CONTINUE ACCREDITATION OF REGISTERED NURSING EDUCATION PROGRAMS WHICH ISSUE ASSOCIATE OF SCIENCE DEGREES IN NURSING", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 582 and 583) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 582) expressing condolences to the family of the late James Anthony Tokunaga was jointly offered by Representatives Machida, Aki, Anderson, Baker, Crozier, de Heer, Dods, Evans, Fukunaga, Hashimoto, Holt, Honda, Ige, Inaba, Kamalii, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Marumoto, Medeiros, Morioka, Nakamura, Narvaes, Say, Stanley, Sutton, Takamine, Takitani and Ushijima.

On motion by Representative Machida, seconded by Representative Crozier and carried, H.R. No. 582 was adopted by a rising vote.

A resolution (H.R. No. 583) commending and congratulating the sponsors of the 1979 Wellness Festival to be held on March 23, 24 and 25 in Kahului, Maui, was jointly offered by Representatives Crozier, Machida, Honda, Takitani, Aki, Anderson, de Heer, Dods, Evans, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kamalii, Kawakami, Kiyabu, Kobayashi, Lacy, Lee, Marumoto, Medeiros, Morioka, Nakamura, Narvaes, Say, Stanley, Sutton, Suwa, Takamine, Toguchi, Ushijima and Uwaine.

On motion by Representative Crozier, seconded by Representative Machida and carried, H.R. No. 583 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 580 and 581) and concurrent resolutions (H.C.R. Nos. 140 and 141) were referred to the Committee on Legislative Management and further action was

deferred until tomorrow, March 22, 1979:

A resolution (H.R. No. 580) requesting the United States Congress to adopt legislation to reverse the Illinois Brick decision was offered by Representative Blair.

A resolution (H.R. No. 581) requesting that the University of Hawaii, together with the Department of Budget and Finance, conduct a study to determine overhead support needs for research and training at the University of Hawaii was jointly offered by Representatives Ushijima, Anderson, Hagino, Kawakami, Kihano, Kunimura, Lunasco, Machida, Marumoto, Say, Takamine, Uwayne and D. Yamada.

A concurrent resolution (H.C.R. No. 140) requesting the United States Congress to adopt legislation to reverse the Illinois Brick decision was offered by Representative Blair.

A concurrent resolution (H.C.R. No. 141) requesting that the University of Hawaii, together with the Department of Budget and Finance, conduct a study to determine overhead support needs for research and training at the University of Hawaii was jointly offered by Representatives Ushijima, Anderson, Hagino, Kawakami, Kihano, Kunimura, Lunasco, Machida, Marumoto, Say, Takamine, Uwayne and D. Yamada.

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

The House of Representatives reconvened at 11:55 o'clock a.m.

At this time, Representative Larsen rose on a point of information:

"We received this document from the Salary Commission and I'm just wondering what to do with it. Does this mean that this is the last time we get a chance, and if we don't say anything, it goes through, it becomes law. Is that where we are?"

The Chair responded:

"The law is, I believe, explained in the document."

Representative Larsen:

"I haven't had a chance to read it yet."

The Chair:

"If all the members would read it, it is explained pretty clearly as to what action the legislature should take if it so desires, and if not, the effect of it. I believe that both the Majority members and the Minority members will caucus on it at an appropriate time and decide what action the House should or should not be taking."

Representative Larsen:

"Then we will discuss it again. My reading, just preliminary reading here, if we don't say anything, it takes effect. Is that correct?"

The Chair:

"That is correct."

Representative Larsen:

"So we will have a chance to discuss it before we get into that."

The Chair:

"The Chair's intention is for all members to read it, acquaint yourself with the recommendation, discuss it with other members and, at an appropriate time, the Majority will have a caucus on it."

ADJOURNMENT

At 12:00 o'clock noon, on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned until 11:30 o'clock a.m., tomorrow, March 22, 1979.

FORTY-FIRST DAY

Thursday, March 22, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Curtis R. Zimmerman of Saint Andrew's Cathedral, after which the Roll was called showing all members present with the exception of Representatives Anderson, Holt, Honda, Larsen, Lee, Narvaes, Sakamoto, Takitani, Uechi and D. Yamada, who were excused.

By unanimous consent, reading and approval of the Journal of the Fortieth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 231 to 233) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 231) transmitting Senate Concurrent Resolution No. 6, ratifying a proposed amendment to the Constitution of the United States providing for representation of the District of Columbia in Congress, which was adopted by the Senate on March 21, 1979, was placed on file.

By unanimous consent, further action on S.C.R. No. 6 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 232) returning House Concurrent Resolution No. 30, which was adopted by the Senate on March 21, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 233) returning House Bill No. 1232, which passed Third Reading in the Senate on March 21, 1979, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1232, as amended by the Senate, was placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1232, SD 1, were made available to the members of the House at 11:30 o'clock a.m.

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

Representative Machida introduced 20 students from Haiku School on Maui. They were accompanied by their teachers, Mr. Sadao Yanagi, Mr. Roy Yamaguchi and Mr. Nelson Yoshida, and a chaperone, Mrs. Charlotte Kamahale.

Representative Kihano introduced Mr. and Mrs. William Sinkovik from Ohio.

Representative K. Yamada introduced "a very good friend of mine from Hilo", Mrs. Bobby Kim, wife of the Civil Defense Coordinator.

Representative Kamalii introduced a former Republican member of the Pennsylvania House of Representatives, Mr. Joseph Seminoff.

SUSPENSION OF RULES

On motion by Representative K. Yamada, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain resolutions.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 584 and 585) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 584) congratulating Kaimuki High School student winners and their coaches for winning statewide championship honors in the 19th Annual Electric Motor Building Contest was jointly offered by Representatives Kiyabu, Kobayashi, Morioka, Say, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kunimura, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Nakamura, Narvaes, Peters, Sakamoto, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, H.R. No. 584 was adopted.

At this time, Representative Kiyabu rose and stated:

"Mr. Speaker, I am very pleased to announce to this honorable body that the Kaimuki High School Electronic Club,

for the eighth consecutive year, took the 'Triple Electric Motor Building Contest' championship trophies. While Kaimuki High School has not won a football championship, we have won the electric motor building contest for the past eight years. Although athletics is important, I think that we should also pay recognition to students in other areas. Last year, we had a bet going with the Majority Leader and, this year, he conceded before the contest.

Also, the first place winner of the Advanced Division, Mr. Stanley Otsuka, did it in six minutes and twelve seconds. When the program first began, the winner took thirty minutes, so you can see how this program has really advanced and the students are really great."

Representative Kiyabu then introduced the various winners, as follows: Intermediate Division, Nolan Oshiro (Jarrett Intermediate School), First Place; Novice Girls Division, Shari-Lynn Oshiro (sister of Nolan), First Place; Eileen Kodani, Second Place; Mildred Kaneshiro, Third Place; Novice Boys Division, Darin Lum, First Place; Robert Uyehara, Second Place; Roger Somera, Third Place; Advanced Division, Stanley Otsuka, First Place; Wesley Ishizaki, Second Place; and Bennett Lum, Third Place. They were accompanied by their instructor, Mr. Randall Molina.

Representative Kiyabu also introduced the other members of the team who were seated in the gallery, along with Mrs. Oshiro, mother of Nolan and Shari-Lynn; their grandmother, Mrs. Yamamoto; and Mrs. Molina, wife of Mr. Randall Molina.

Representatives Say, Medeiros, Morioka, Stanley, Fukunaga, Hashimoto, Evans, Kamalii, Ikeda and Marumoto then presented floral leis to the honorees, while Representative Kiyabu presented them with certified copies of the Resolution.

Representative Kunimura then rose and stated:

"Mr. Speaker, I have been asked by Representative Kiyabu to make a slight correction in his explanation that Representative Medeiros, a former student of Kaimuki, was born way before, not these children here, but way before their parents and grandparents. That's what he meant."

Representative Medeiros responded:

"Very seldom is the Representative

from Kauai right and, today, he is right."

The Chair remarked:

"With one exception, I believe, Representative Medeiros. You were born way after Representative Kunimura."

A resolution (H.R. No. 585) honoring Velma McWayne Santos on being named the Business and Professional Woman of the Year was jointly offered by Representatives Kamalii, Evans, Medeiros, Ikeda, Marumoto, Honda, Takitani, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Ige, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Masutani, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Shito, Stanley, Sutton, Suwa, Takamine, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Kamalii, seconded by Representative Evans and carried, H.R. No. 585 was adopted.

Representative Kamalii then proceeded to introduced the honoree, Mrs. Velma Santos, stating:

"Mr. Speaker and members of this House, I am very, very happy to have Velma with us today and as a former Representative from Maui, she is familiar to many of you.

Velma was part of the Class of 1974, and as Donna and Faith and I know, that was a very good year for Republican women. Velma was a very important part of that beginning -- an example of restraint and grace, of knowing when to speak and when to be quiet. Some of you may wish we had followed that example more closely.

Velma is now the Director of Human Concerns on Maui and a member of Mayor Elmer Cravalho's cabinet. By appointing Velma to that post, I think he may already have tapped one of the most valuable human resources on the island.

Velma, welcome back to the House. Congratulations on being named the 'Outstanding Professional and Business Women of the Year.' I wish her good luck in her new post, and now, it is really my pleasure, on behalf of all of us, to introduce Velma Santos."

Representative Kamalii then presented the honoree, Mrs. Santos, to the members of the House.

Representative Crozier then rose and stated:

"Mr. Speaker, it is my pleasure, on this day, to present to Velma Santos, even though she was one of the minority party on the minority side. . . could I present Velma Santos with a lei of appreciation because she is a very good friend of mine, also from Maui, even though she is a Republican?"

Granted permission by the Chair, Representative Crozier presented Mrs. Santos with a pink carnation lei.

Representative Medeiros then presented the honoree with an ilima lei while Representative Evans presented her with a certified copy of the Resolution.

Representative Kunimura then rose and stated:

"Mr. Speaker, if I may be permitted to reflect, a few years ago, this very unusual person came from Maui. It was my instinct as a male and a pretty chauvinistic one at that -- you can see from my background -- and I tried her out a couple of times, and I can still remember the sting I got on several occasions. And I can remember, and I will remember, as long as I live, that there are some females who can understand the political process of give and take, and they turn out to be pretty good traders, and Velma is one of them. She is very gentle in many ways where it is important, and yet, she can be very tough and ready to fight for what she believes is right, and I would like to say from our side, from those of us who have had the opportunity to serve with you, Velma, we take our hats off, and if you don't mind the chauvinistic praise, I wish you would consider yourself as one of the boys.

Thank you."

At 11:59 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal aloha and congratulations to our honored guests."

Upon reconvening at 12:05 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Honda, Lee and D. Yamada.

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

"Mr. Speaker, a statement was made on the record that the Republican women of the Class of 1974 was a very good year. I want the record to reflect that we, on the Democratic side, are equally proud of the women of the Class of 1974, and what we may lack

in numbers, we more than make up for it in quality."

At this time, Representative Lee was granted permission to make a late introduction and he introduced 22 parents from various schools throughout the State of Hawaii who are involved in the Department of Compensatory Education Title-1 Project. They were accompanied by "four ring leaders", as follows: Mayta Kuikahi, Parent Coordinator; Marie Coleman, Chairperson; Juanita Keawe-Mauhili, Vice Chairperson; and Milites Rodrigues, District Secretary.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 580 and 581) and concurrent resolutions (H.C.R. Nos. 140 and 141 and S.C.R. No. 6) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
580	Jointly to the Committees on Consumer Protection and Commerce and Judiciary
581	Committee on Higher Education, then to the Committee on Finance

H.C.R. Nos.

140	Jointly to the Committees on Consumer Protection and Commerce and Judiciary
141	Committee on Higher Education, then to the Committee on Finance

S.C.R. No.

6	Committee on Judiciary
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COMMITTEE REASSIGNMENTS

Senate Bill No. 1721, SD 2, was re-referred to the Committee on Finance.

The following resolutions and concurrent resolutions were re-referred as follows:

<u>H.R. Nos.</u>	<u>Re-referred to:</u>
74	Jointly to the Committees on Higher Education and Tourism, then to the Committee on Legislative Management
75	Jointly to the Committees on Higher Education and Tourism, then to the Committee on Legislative Management

77 Jointly to the Committees on Higher Education and Tourism, then to the Committee on Legislative Management

174 Jointly to the Committees on Ocean and Marine Resources and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

H.C.R. Nos.

10 Jointly to the Committees on Ocean and Marine Resources and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

31 Committee on Corrections and Rehabilitation, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 775) informing the House that House Resolution Nos. 580 to 583, House Concurrent Resolution Nos. 140 and 141, and Standing Committee Report Nos. 768 to 774, have been printed and distributed.

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

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 776) recommending that H.C.R. No. 86 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO SUPPORT STATE-FEDERAL DATA SHARING WITH THE NATIONAL CONFERENCE OF STATE LEGISLATURES", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 777) recommending that H.R. No. 57 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura

and carried, the report of the Committee was adopted and H.R. No. 57, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF, AND NECESSARY ACTION ON, THE STUDIES AND RECOMMENDATIONS OF THE GOVERNMENT ORGANIZATION COMMISSION", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 778) recommending that H.R. No. 339 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 339, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TOWARD ESTABLISHING DIRECT INEXPENSIVE DATA INFORMATION AND COMMUNICATION LINKS WITH WASHINGTON, D.C.", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 779) recommending that H.C.R. No. 62 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TOWARD ESTABLISHING DIRECT INEXPENSIVE DATA INFORMATION AND COMMUNICATION LINKS WITH WASHINGTON, D.C.", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 780) recommending that H.R. No. 464 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 464, entitled: "HOUSE RESOLUTION REQUESTING A STUDY RELATING TO STRENGTHENING AND EXPANSION OF AUTOMATIC DATA PROCESSING SYSTEMS AND PROGRAMS IN SUPPORT OF ITS OPERATIONS", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 781) recommending that H.C.R. No. 96 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY RELATING TO STRENGTHENING AND EXPANSION OF AUTOMATIC DATA PROCESSING SYSTEMS AND PROGRAMS IN SUPPORT OF ITS OPERATIONS", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 782) recommending that H.R. No. 389, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 389, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE COMPENSATION PLAN STRUCTURE FOR CERTAIN PUBLIC EMPLOYEES", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 783) recommending that H.C.R. No. 72, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.C.R. No. 72, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE COMPENSATION PLAN STRUCTURE FOR CERTAIN PUBLIC EMPLOYEES", was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 784) recommending that H.R. No. 367 be adopted.

Representative Ushijima moved that the report of the Committee be adopted and H.R. No. 367 be adopted, seconded by Representative Machida.

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

"Mr. Speaker, how far are we going to go to harass the faculty of the University of Hawaii? Everyday, we have something that takes away from their credence as high intellectuals, attracted here to this campus so that they could stand to the highly accredited institution of higher learning. Now, all of a

sudden, we say, alright, fine, we want the buck private in the rear row to be evaluating the general. How far do you think MacArthur would have gotten, or Patton, or Eisenhower, or Nimitz, or Halsey, if they were evaluated by the men in the rear row? They wouldn't. How about my evaluation of you the other night when I tried to steal base and get three times at bat by having Mr. Lee yield the floor? How would I have evaluated you after that? I would give you a bad evaluation but you were correct.

This is not the proper way to operate, Mr. Speaker. We are having the individual do the evaluations who goes into a class and they can be busted or they could be getting an A. But we do not subject anybody in authority to being evaluated by those that they have authority over. It's a basic premise. We are violating that.

Let me just show you what this resolution does. It starts with a very basic premise that is illogical -- major premise -- therefore, it is bound to come to a wrong conclusion. It says it is a pilot project. They are now. That doesn't give us any authority to come to the illogical conclusion that we should make that thing something valid. You cannot have a proper University that does not follow what your own Governor Jack Burns said, 'Let's have the top learning spot in the whole Pacific here.' This is the only higher education institution in the whole Pacific. That is why we have an East-West Center. That is why we have students coming here from all over the world in the summers. Then, all of a sudden, we say that these transitory people who are only there for four years shall make an evaluation in the name that, somehow or other, we find out the technique.

We are harassing the professors, we are taking away his authority and, Mr. Speaker, I hope you will join with me in voting this down.

Thank you."

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

"Mr. Speaker, I am sorry that the Representative from Nuuanu feels that way about evaluation. But, in light of what he says, the evaluation is a very positive thing. It sets forth ways for improvement for an instructor. In today's society, if the University of Hawaii faculty cannot look at the evaluation in a positive light of how oneself improves the instructions to the students, it is a very sad day in our history.

Mr. Speaker, just let me say that, as far as I am concerned, and the Committee is concerned, this evaluation process is in light of a very positive nature.

Thank you."

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

"Mr. Speaker, I would just like to make a few comments.

There is some reference about having buck privates evaluate generals. I would like to say that the University campus is the very antithesis of the military and of the Army and the Navy and the Air Force. You know, we don't use words like chain of command at the University campus of the military hierarchy. We talk about a community of scholars and a community of people willing to learn and wanting to learn, and I think that this is what this resolution tries to enforce. It is a community of learning and we are trying to get away from hierarchy and chains of commands and military structures, so I hope all of us will support this resolution.

Thank you."

Representative Sutton, in rebuttal, stated:

"Mr. Speaker, once you take a course for credit, you subject yourself to the authority of that professor. You take a chance of getting a minus or busted. You take your own chances and when you come into that room and you take his course and you sign up for it, you are going towards your degree, whether it be a baccalaureate or a graduate degree. All over the civilized world, wherever we have higher institutions of learning and, of course, the finest in this country, the finest in England, the finest in Europe, the finest in Japan, we have the same basic proposition.

I drew an analogy just for a second to the buck private and the general only to indicate. . . but then, I drew another analogy and that was my relationship to you. You are my superior, you are the one that controls this floor. If I don't behave, you can have Richard right here throw me out. You are the one, and I shouldn't be evaluating you because you have to follow the rules of this House. That's a closer analogy.

So, Mr. Speaker, if we could address

this concept and stop harassing those professors at the University of Hawaii -- how are you going to draw the best brains in this country to the University of Hawaii if you continue to have this harassment. There were 2,400 of them, Mr. Speaker. They were on the street Saturday morning. I happened to join them. We passed out brochures, and listen, keep an independent faculty. You don't have an independent faculty. When you have our former brethren from here who's over on the Senate side, ask him for job evaluations where you can't evaluate, and have the least students make the evaluations where they cannot evaluate. The quality of worse mercy, Mr. Speaker, is not strain; it falleth from the Heaven like the dew.

Thank you."

Representative Say, in rebuttal, stated:

"The previous speaker's Stanford University has a faculty evaluation going on, sir."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 367, entitled: "HOUSE RESOLUTION RECOGNIZING THE EFFORTS OF THE ASSOCIATED STUDENTS OF THE UNIVERSITY OF HAWAII AT MANOA (ASUH) IN PURSUING A SYSTEM OF FACULTY EVALUATION ON THE MANOA CAMPUS", was adopted, with Representative Sutton voting no.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 785) recommending that H.R. No. 365, as amended in HD 1, be adopted.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.R. No. 365, HD 1, entitled: "HOUSE RESOLUTION RESPECTFULLY URGING HAWAII'S BUSINESS AND COMMERCIAL SECTOR TO VOLUNTARILY EXPAND CONSUMER DISCOUNT PROGRAMS FOR ELDERLY PERSONS", was adopted.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 786) recommending that H.R. No. 364 be adopted.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.R. No. 364, entitled: "HOUSE RESOLUTION COMMENDING THOSE HAWAII BUSINESS ENTITIES PROVIDING PURCHASE DISCOUNT PROGRAMS FOR SENIOR CITIZENS", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 787) recommending that H.R. No. 290, as amended in HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 290, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STRENGTHEN THE STATE PASTURE LEASE PROGRAM", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 788) recommending that H.C.R. No. 8 be adopted.

Representative Suwa moved that the report of the Committee be adopted and H.C.R. No. 8 be adopted, seconded by Representative Morioka.

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

"Mr. Speaker, I think this is a very good resolution. I have just one small comment to make. I wish we had passed out this resolution before we worked out enabling legislation along the Department of Planning and Economic Development second deputy director. I think this resolution and study should have been conducted before creating the position of second deputy director.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 8, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE LAWS RELATING TO THE FUNCTIONS AND DUTIES OF THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 789) recommending that H.R. No. 291, as amended in HD 2, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 291, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE APPOINTMENT OF AN ADVISORY COMMITTEE TO STUDY AND RECOMMEND IMPROVEMENTS IN THE AGRICULTURE EDUCATION PROGRAMS OF THE UNIVERSITY OF HAWAII", was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 790) recommending that H.R. No. 237 be adopted.

On motion by Representative Inaba, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.R. No. 237, entitled: "HOUSE RESOLUTION REQUESTING THE EXECUTIVE BRANCH TO SUPPORT THE SUGAR INDUSTRY WITH ALL MEANS PRACTICABLE TO ENSURE ITS STABILITY AND CONTINUITY", was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 791) recommending that H.R. No. 288 be adopted.

On motion by Representative Inaba, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.R. No. 288, entitled: "HOUSE RESOLUTION REQUESTING THE PROMULGATION OF LESS STRINGENT BUILDING CODES FOR FARM STORAGE FACILITIES IN THE COUNTY OF HAWAII", was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 792) recommending that H.R. No. 230 be adopted.

On motion by Representative Inaba, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.R. No. 230 entitled: "HOUSE RESOLUTION REQUESTING ESTABLISHMENT OF A SPECIAL LOGO TO IDENTIFY LOCALLY PRODUCED AGRICULTURAL COMMODITIES CERTIFYING HAWAIIAN ORIGIN", was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 793) recommending that H.C.R. No. 25 be adopted.

On motion by Representative Inaba, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF A SPECIAL LOGO TO IDENTIFY LOCALLY PRODUCED AGRICULTURAL COMMODITIES CERTIFYING HAWAIIAN ORIGIN", was adopted.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a report (Stand. Com. Rep. No. 794) recommending that H.R. No. 294 be adopted.

On motion by Representative Fukunaga, seconded by Representative Inaba and

carried, the joint report of the Committees was adopted and H.R. No. 294, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO DISPOSE OF PUBLIC LANDS FOR AGRICULTURAL PURPOSES BY MEANS OTHER THAN PUBLIC AUCTION", was adopted.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a report (Stand. Com. Rep. No. 795) recommending that H.C.R. No. 41 be adopted.

On motion by Representative Fukunaga, seconded by Representative Inaba and carried, the joint report of the Committees was adopted and H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO DISPOSE OF PUBLIC LANDS FOR AGRICULTURAL PURPOSES BY MEANS OTHER THAN PUBLIC AUCTION", was adopted.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a report (Stand. Com. Rep. No. 796) recommending that H.R. No. 295 be adopted.

On motion by Representative Fukunaga, seconded by Representative Inaba and carried, the joint report of the Committees was adopted and H.R. No. 295, entitled: "HOUSE RESOLUTION COMMENDING THE STATE BOARD OF LAND AND NATURAL RESOURCES FOR THEIR EFFORTS TO STRENGTHEN AGRICULTURAL WATER RESOURCE PROGRAMS IN WAIMANALO, OAHU, AND URGING THE BOARD TO INTENSIFY ACTIVITIES TO UPGRADE THE AGRICULTURAL WATER SYSTEMS IN WAIMANALO", was adopted.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a report (Stand. Com. Rep. No. 797) recommending that H.C.R. No. 42 be adopted.

On motion by Representative Fukunaga, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE STATE BOARD OF LAND AND NATURAL RESOURCES FOR THEIR EFFORTS TO STRENGTHEN AGRICULTURAL WATER RESOURCE PROGRAMS IN WAIMANALO, OAHU, AND URGING THE BOARD TO INTENSIFY ACTIVITIES TO UPGRADE THE AGRICULTURAL WATER SYSTEMS IN WAIMANALO",

was adopted.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 586) and concurrent resolution (H.C.R. No. 142) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 23, 1979:

A resolution (H.R. No. 586) requesting the Department of Education's support of the Hawaii High School Athletic Association was jointly offered by Representatives Kiyabu, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kobayashi, Kunimura, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwayne, D. Yamada and K. Yamada.

A concurrent resolution (H.C.R. No. 142) requesting the adoption of rules mandating the purchase of four- and six-cylinder vehicles for government use was jointly offered by Representatives Uwayne and Hashimoto.

The following resolution (H.R. No. 587) and concurrent resolution (H.C.R. No. 143) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 587) commending the effectiveness and good work of the Headstart Program of Kauai Economic Opportunity, Inc., and recognizing the program upon the occasion of its annual islandwide parents' conference was jointly offered by Representatives Kunimura, Kawakami, D. Yamada, Aki, Baker, Blair, Crozier, de Heer, Dods, Hashimoto, Honda, Ikeda, Inaba, Kamalii, Kihano, Kiyabu, Lacy, Machida, Marumoto, Morioka, Nakamura, Peters, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Toguchi, Ushijima, Uwayne and K. Yamada.

On motion by Representative Kunimura, seconded by Representative K. Yamada and carried, H.R. No. 587 was adopted.

A concurrent resolution (H.C.R. No. 143) congratulating Mary G.F. Bitterman upon her nomination to the Dillingham Corp. Board of Directors was jointly offered by Representatives Kunimura, Dods, Aki, Baker, Blair, Crozier, de Heer, Evans, Hashimoto, Honda, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Lacy, Lee, Machida, Marumoto, Morioka, Nakamura, Peters, Say, Segawa, Shito, Stanley, Sutton,

Suwa, Takamine, Toguchi, Ushijima, Uwaine, D. Yamada and K. Yamada.

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

Representative Sutton then rose and asked for a conflict ruling, stating that he has shares in Dillingham Corporation.

The Chair ruled "no conflict."

The motion was put by the Chair and carried, and H.C.R. No. 143 was adopted.

At 12:22 o'clock p.m., upon the request of Representative D. Yamada, the Chair declared a recess, subject

to the call of the Chair.

Upon reconvening at 12:25 o'clock p.m., the Chair stated:

"The Chair would like to remind all members that the Chair had waived the requirement of the 48-hour notice for Committee meetings and decision-making meetings until further notice. That order still stands."

ADJOURNMENT

At 12:27 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, Friday, March 23, 1979.

FORTY-SECOND DAY

Friday, March 23, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by the Reverend Terrence Watanabe of Our Lady of Good Counsel Church, after which the Roll was called showing all members present with the exception of Representatives Anderson, Evans, Garcia, Holt, Larsen, Machida, Narvaes, Sakamoto, Takitani, Uechi and Wakatsuki, who were excused.

By unanimous consent, reading of the Journal of the Forty-First Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 234 and 235) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 234) returning House Bill No. 451, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING A DANGEROUS DRUG", which passed Third Reading in the Senate on March 22, 1979, in an amended form, was placed on file.

By unanimous consent, H.B. No. 451, as amended by the Senate, was placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 451, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 235) returning House Concurrent Resolution No. 143, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING MARY G. F. BITTERMAN UPON HER NOMINATION TO THE DILLINGHAM CORP. BOARD OF DIRECTORS", which was adopted by the Senate on March 22, 1979, was placed on file.

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

Representative Sutton introduced Mr. and Mrs. Gerritson, visitors from New Jersey, and Mr. and Mrs. Langin from Buffalo, New York.

Representative Shito introduced 36 students from the seventh and eighth grades of Waipahu Intermediate School with their instructors, Mr. Milton Kimura, Mr. Derek Mukai, Mrs. Sumiye Kurosawa and Mrs. Carmen Padilla.

Representative Morioka introduced eighty fifth graders from Aliiolani Elementary School along with their teachers, Mrs. Hamilton, Miss Ono and Miss Sato. Also accompanying them were two room mothers, Mrs. Uyeda and Mrs. Tsuda.

Representative Crozier introduced eighth grade students from St. Joseph School on Maui. Accompanying the students were their teachers, Sister Aurelia, Sister Raymond, Mr. and Mrs. Tony Silva, Mr. Clement Bak, Mrs. Elizabeth Rego, Mrs. Paulette Ramon, Mrs. Merlyn Canha and Mrs. Carolyn Freitas.

Representative Lunasco then introduced six students from Mililani High School and their teacher, Mrs. Doreen Harada.

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

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

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolution (H.R. No. 586) and concurrent resolution (H.C.R. No. 142) were disposed of as follows:

<u>H.R. No.</u>	<u>Referred to:</u>
586	Committee on Education

<u>H.C.R. No.</u>	
142	Jointly to Committee on Energy and Committee on Public Employment and Government Operations, then to Committee on Finance

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred as follows:

<u>H.R. Nos.</u>	<u>Re-Referred to:</u>
16	Committee on Culture and the Arts, then to Committee on Legislative Management
18	Committee on Culture and the Arts, then to Committee on Legislative Management
38	Committee on Judiciary, then to Committee on Legislative Management
326	Committee on Corrections and Rehabilitation, then to Committee on Finance
459	Committee on Transportation, then to Committee on Finance
503	Committee on Transportation, then to Committee on Finance

H.C.R. No.

124	Committee on Transportation, then to Committee on Finance
142	Jointly to Committee on Energy and Committee on Public Employment and Government Operations, then to Committee on Finance

SUSPENSION OF RULES

On motion by Representative K. Yamada, seconded by Representative Kamalii, and carried, the rules of the House were suspended for the purpose of taking up certain resolutions out of order.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 588, 592, 598 and 589 to 591) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 588) congratulating the Signing Hands of Aloha for being invited to the National Very Special Arts Festival and wishing them the best of luck was jointly offered by Representatives Kiyabu, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt,

Honda, Ige, Ikeda, Inaba, Kamalii, Kihano, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Kiyabu, seconded by Representative Kobayashi and carried, H.R. No. 588 was adopted.

Representative Kiyabu then rose to introduce the members of the Signing Hands of Aloha to the members of the House.

"Mr. Speaker and members of this honorable body, I am very happy this morning to present to you this very talented group called the Signing Hands of Aloha. This group has been rehearsing and they are going to have their spring performance this Sunday, March 25, at Kaimuki High School auditorium. I might add that it's a free concert, but donations will be accepted -- they'll need some money to get to Washington, D.C., and, if I could have another commercial, tomorrow if you will stop by the Diamond Head School, they will be selling hulu-huli chicken.

This group has dedicated teachers and volunteers who have been working very hard. The two teachers are Diane Ichimasa and Joan Kurashige, and the volunteers are Pat Ichimasa and Judy Higa. At this time, I would like to introduce the members of the group, the students: Bella Tavita, Laura Saito, Kelly Montero, Dan Nagata, Kenneth Muraoka, Bernard Coco, Tracey Hall, Delbert Fung, Samuel Davis, Jr., and Dwight Shimizu. Incidentally, Dwight's mother works for Senator Takitani. The teachers are Miss Diane Ichimasa and Mrs. Joan Kurashige. Only one of the volunteers could be here today, Judy Higa. The very special festival coordinator is Diane Gerard. The principal of this school is Mr. Santiago Agawili."

At this time Representatives Stanley, Fukunaga, Hashimoto, Ikeda, Kamalii, Marumoto, Kobayashi, Morioka, Say, Kunimura, Shito, Peters and Suwa presented flower leis and copies of the resolution to the honorees, after which the Signing Hands of Aloha performed Honolulu City Lights for the members of the House, and

were enthusiastically received by a standing ovation.

Representative Kiyabu:

"Mr. Speaker, that was just to whet the appetite of the audience. If you want more, please go down to Kaimuki High School this Sunday night. Thank you."

The Chair, at this time, thanked the Signing Hands of Aloha for sharing their warmth and the inspiration that was given to them by their instructors, and wished them luck on their trip to Washington, D.C.

A resolution (H.R. No. 592) congratulating John Keolamaka'Aiana Lake upon being awarded the Outstanding Hawaiian Civic Club Member Award for 1978 was jointly offered by Representatives Anderson, Kamalii, Blair, Dods, Evans, Fukunaga, Holt, Ige, Ikeda, Inaba, Kawakami, Kihano, Kiyabu, Kunimura, Larsen, Lunasco, Machida, Masutani, Medeiros, Morioka, Say, Shito, Sutton, Takamine, Takitani, Toguchi, Uechi, Uwaine and K. Yamada.

On motion by Representative Kamalii, seconded by Representative Medeiros and carried, H.R. No. 592 was adopted.

A resolution (H.R. No. 598) congratulating Dorothy Kahananui Gillett upon being honored as an outstanding Hawaiian was jointly offered by Representatives Anderson, Kamalii, Dods, Evans, Fukunaga, Holt, Ige, Ikeda, Inaba, Kawakami, Kihano, Kiyabu, Kunimura, Larsen, Lunasco, Machida, Masutani, Medeiros, Morioka, Say, Shito, Sutton, Takamine, Takitani, Toguchi, Uechi, Uwaine and K. Yamada.

On motion by Representative Kamalii, seconded by Representative Medeiros and carried, H.R. No. 598 was adopted.

Representative Kamalii then rose to introduce the honorees to the members of the House:

"Mr. Speaker and members of the House, I am proud to introduce today, Dorothy Kahananui Gillett and John Keolamaka'Aiana Lake. Will you please rise to be recognized.

Mr. Speaker, John and Dorothy were selected the Outstanding Hawaiians of 1978 by the State Association

of Hawaiian Civic Clubs. I am sorry that the president of the State Association of Hawaiian Civic Clubs isn't with us today, and that is Representative Whitney Anderson; however, he is on Kauai with the Agriculture Committee, and I have been given the honor to congratulate both Dorothy and John at this time.

Mr. Speaker, much of what is said on this floor, and often incorporated into our laws, is a concern for the preservation and promotion of the native Hawaiian culture. Our words would be meaningless and empty, though, without the daily efforts of people like John and Dorothy. It is their willingness, talent and creative energy which truly gives life and breath, it is their teaching of the language and music which echoes in our laws.

However our traditions may change, they will always remain fundamentally Hawaiian because of the unwritten giving of love, caring and the profound Aloha of those like Dorothy and John.

They are outstanding Hawaiians, and we are very grateful for their work."

At this time, Representative Kamalii introduced John's wife, Barbara, and his son, Edie. Also introduced with Mrs. Gillett were Mr. and Mrs. Benson Lee. Mr. Lee is the past president of the Pearl Harbor Hawaiian Civic Club which nominated Mrs. Gillett.

Representatives Peters and Ikeda presented flower leis to the honorees while Representative Kamalii presented them with copies of their resolutions.

A resolution (H.R. No. 589) congratulating Les Murakami, Head Coach of the University of Hawaii Baseball Team, on being selected as Head Coach of the United States College All Stars was jointly offered by Representatives Ushijima, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Uwaine, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative Kunimura and carried, H.R. No. 589 was adopted.

A resolution (H.R. No. 590) congratulating the University of Hawaii Baseball Team on their outstanding performance and extending to them best wishes for success in the Fifth Annual Rainbow Easter Baseball Tournament was jointly offered by Representatives Kunimura, Ushijima, Suwa, Takitani, Holt, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Takamine, Toguchi, Uechi, Uwaine, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Kunimura, seconded by Representative Ushijima and carried, H.R. No. 590 was adopted.

A resolution (H.R. No. 591) commending and extending congratulations to Derek Tatsuno on his selection as 1979 Male Athlete of the Year was jointly offered by Representatives Holt, Ushijima, Aki, Baker, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Honda, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Machida, Marumoto, Masutani, Morioka, Nakamura, Say, Segawa, Shito, Stanley, Suwa, Takamine, Toguchi, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Ushijima, seconded by Representative Kawakami and carried, H.R. No. 591 was adopted.

At this time, Representative Kunimura stated:

"Mr. Speaker, we are not honoring the team from the University of Hawaii because of their winning record, but rather their winning record plus they've shown many of us who have come to love not only baseball, and understand baseball because of the University team, we have come to understand the real young America and the young Hawaii. It has been an eye-opener for a few of us who have gone to the University field to watch our team in action. They are first,

gentlemen, all of them, and above all, Mr. Speaker, when you see this gallant team coming from behind and not giving up, but play until the last inning and still, after the ballgame is over, they are gracious enough to meet their vanquished opponent with all the sincerity and the feeling of Aloha and, Mr. Speaker, when you see a team like ours that go out there and fix their own pitching mound and home base, cover tarps, run the equipment around to smooth the field for the next game, where many other teams in the United States would have paid groundskeepers and all the other help, our team is a real homegrown team that has the Aloha and the spirit of Hawaii. I am so proud, Mr. Speaker, because out there you see boys from all parts of the United States and all parts of this State, all getting along together as one team, and I hope those who have not had the opportunity to watch this team in action, and the discipline they have and the Aloha they have for their coaches, I invite you all to get out there, one evening at least, and see that there is future in this State. Thank you."

Representative Ushijima also rose to speak:

"Mr. Speaker, I would like to echo the comments made by our Representative from the Garden Island of Kauai. He eloquently placed, I think, within the hearts of everybody, our sincere thoughts on the University of Hawaii Baseball Team.

Present here this morning, Mr. Speaker, are several members of the team. Most of them have classes this morning and, rather than accept the honor, they insisted that with our kind understanding, that they be permitted to attend classes. First of all, may I present to you our most humble coach, Head Coach of the University of Hawaii, Mr. Les Murakami. Unfortunately, the other honoree, Derek Tatsuno, has an eleven o'clock class and consequently could not be here as I had indicated earlier.

The other players representing the team are here and I would like to take this opportunity to introduce them. First of all, one of the co-captains, Mr. Ron Nomura, formerly of McKinly High School, the other co-captain is Curt Watanabe; from Kaimuki High School, Mr. Gene

Smith; from Castle High School, Sam Kakazu; from Hilo High School, Darren Kurohara; and the other senior on the team is Gene Ober."

At this time, Representatives Stanley, Hashimoto, Fukunaga and Ikeda presented the honorees with flower leis while Representatives Kunimura, Suwa and Ushijima presented them with their resolutions.

At 12:00 o'clock, noon, the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:18 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 798) informing the House that House Resolution Nos. 584 to 587, House Concurrent Resolution Nos. 142 and 143 and Standing Committee Report Nos. 776 to 797 have been printed and distributed.

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

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 799) recommending that H.R. No. 255, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.R. No. 255, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO INCREASE THE AMOUNTS OF PAYMENTS TO CARE HOMES AND ADULT FAMILY BOARDING HOMES", was referred to the Committee on Finance.

Representative Larsen, for the majority of the Committee on Ecology and Environmental protection, presented a report (Stand. Com. Rep. No. 800) recommending that H.R. No. 158, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative K. Yamada, seconded by Representative Peters and carried, the report of

the Committee was adopted and H.R. No. 158, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE ENVIRONMENTAL RIGHTS PROVISION OF THE CONSTITUTION AND RECOMMENDATION OF IMPLEMENTING LEGISLATION", was referred to the Committee on Judiciary.

Representatives Lunasco and Say, for the Committees on Education and Culture and the Arts, presented a joint report (Stand. Com. Rep. No. 801) recommending that H.R. No. 412 be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the joint report of the Committee was adopted and H.R. No. 412, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE PERFORMING ARTS", was referred to the Committee on Finance.

Representatives Lunasco and Say, for the Committees on Education and Culture and the Arts, presented a joint report (Stand. Com. Rep. No. 802) recommending that H.C.R. No. 82 be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the joint report of the Committees was adopted and H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE PERFORMING ARTS", was referred to the Committee on Finance.

Representatives Uechi and Kawakami, for the Committees on Agriculture and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 803) recommending that H.R. No. 150 be adopted.

On motion by Representative Kawakami, seconded by Representative Inaba and carried, the joint report of the Committees was adopted and H.R. No. 150, entitled: "HOUSE RESOLUTION REQUESTING STATE AND COUNTY AGENCIES TO ACCELERATE THE ESTABLISHMENT OF AGRICULTURAL PARKS", was adopted.

Representatives Uwayne and Larsen, for the Committees on Energy and Ecology and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 804) recommending that H.R. No. 393 be adopted.

On motion by Representative Uwaine, seconded by Representative K. Yamada and carried, the joint report of the Committees was adopted and H.R. No. 393, entitled: "HOUSE RESOLUTION ENDORSING A STATE-WIDE OBSERVATION OF EARTH DAY ON FRIDAY, APRIL 27, 1979", was adopted.

Representatives Uwaine and Larsen, for the Committees on Energy and Ecology and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 805) recommending that H.C.R. No. 74 be adopted.

On motion by Representative Uwaine, seconded by Representative K. Yamada and carried, the joint report of the Committees was adopted and H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING A STATE-WIDE OBSERVATION OF EARTH DAY ON FRIDAY, APRIL 27, 1979", was adopted.

Representative Nakamura, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 806) recommending that H.C.R. No. 31 be referred to the Committee on Finance.

By unanimous consent, action on Standing Committee Report No. 806 was deferred until Tuesday, March 27, 1979.

Representatives Toguchi and Kawakami, for the Committees on Ocean and Marine Resources and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 807) recommending that H.R. No. 174, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Kawakami and carried, the joint report of the Committees was adopted and H.R. No. 174, HD 1, entitled: "HOUSE RESOLUTION REQUESTING APPROPRIATE STATE AGENCIES TO REVIEW EXISTING FISH AND GAME REGULATIONS", was referred to the Committee on Finance.

Representatives Toguchi and Kawakami, for the Committees on Ocean and Marine Resources and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 808) recommending that H.C.R. No. 10, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Kawakami and carried, the joint report of the Committees was adopted and H.C.R. No. 10, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING APPROPRIATE STATE AGENCIES TO REVIEW EXISTING FISH AND GAME REGULATIONS", was referred to the Committee on Finance.

At this time, the Chair directed the members to continue with the Standing Committee Reports on Supplemental Calendar No. 1.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 809) recommending that H.R. No. 538 be adopted.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 538, entitled: "HOUSE RESOLUTION PROCLAIMING MARCH 23 - APRIL 4, 1979 AS A TIME FOR THE CELEBRATION OF WELLNESS", was adopted.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 810) recommending that H.C.R. No. 128 be adopted.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.C.R. No. 128, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING MARCH 23 - APRIL 4, 1979 AS A TIME FOR THE CELEBRATION OF WELLNESS", was adopted.

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

The House of Representatives reconvened at 12:30 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 811) recommending that S.B. No. 1096, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1096, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR COLLECTIVE BARGAINING" passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 812) recommending that S.B. No. 1097, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1097, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 813) recommending that S.B. No. 1098, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1098, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 814) recommending that S.B. No. 1099, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1099, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 815) recommending that S.B. No. 1100, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1100, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 816) recommending that S.B. No. 1101, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1101, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 817) recommending that S.B. No. 1102, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1102, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 818) recommending that S.B. No. 1103, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1103, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the

Committee on Finance, presented a report (Stand. Com. Rep. No. 819) recommending that S.B. No. 1104, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1104, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 820) recommending that S.B. No. 1105, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1105, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 821) recommending that S.B. No. 1108, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1108, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 822) recommending that S.B. No. 1742, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1742,

SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 823) recommending that S.B. No. 1106, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1106, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading, Tuesday, March 27, 1979.

The Chair directed the Clerk to note that printed copies of Standing Committee Report Nos. 811 to 823 were made available to the members of the House at 11:10 o'clock a.m.

The Chair then directed the members to continue the agenda on page 3 of the original calendar.

At this time, Representative Kunimura made a late introduction:

"Mr. Speaker, we have visiting with us a couple who have given so much to Hawaii's children, and especially the underprivileged children of Hawaii. He's been doing these things with love, tenderness and, above all, warm mana. I would like to introduce to this body, Mr. and Mrs. L. Sing, champions of the underdog.

At 12:35 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:36 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 599 to 603) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 599) recognizing the contributions to the community

by the Easter Seal Society for Crippled Children and Adults of Hawaii was jointly offered by Representatives Marumoto, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Garcia, Hagino, Hashimoto, Honda, Ikeda, Inaba, Kamalii, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Medeiros, Narvaes, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Toguchi, Ushijima, Uwaine and D. Yamada.

On motion by Representative Marumoto, seconded by Representative Segawa and carried, H.R. No. 599 was adopted.

A resolution (H.R. No. 600) honoring and commending Tokuo Tani for his many years of exemplary and devoted services to Lionism was jointly offered by Representatives Toguchi, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kiyabu, Kobayashi, Kunimura, Lacy, Lee, Lunasco, Machida, Masutani, Morioka, Nakamura, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Toguchi, seconded by Representative Nakamura and carried, H.R. No. 600 was adopted.

A resolution (H.R. No. 601) recognizing and commending Kamehameha Schools for providing an outstanding bus service to their students in the seventh representative district was jointly offered by Representatives Ikeda, Dods, Aki, Anderson, Baker, Blair, Crozier, de Heer, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Ikeda, seconded by Representative Dods and carried, H.R. No. 601 was adopted.

A resolution (H.R. No. 602) honoring the memory of Prince Kuhio on the anniversary of his birth was jointly offered by Representatives Holt,

Aki, Baker, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Honda, Ige, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Machida, Marumoto, Masutani, Morioka, Nakamura, Peters, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Peters, seconded by Representative K. Yamada and carried, H.R. No. 602 was adopted by a rising vote.

A resolution (H.R. No. 603) extending deepest sympathy to the family of the late Norman Kauaihilo was jointly offered by Representatives Kamalii, Baker, de Heer, Dods, Fukunaga, Hagino, Hashimoto, Honda, Ige, Ikeda, Inaba, Kiyabu, Kobayashi, Kunimura, Lacy, Medeiros, Nakamura, Peters, Say, Segawa, Stanley, Sutton, Suwa, Toguchi, Ushijima and K. Yamada.

On motion by Representative Kamalii, seconded by Representative Medeiros and carried, H.R. No. 603 was adopted by a rising vote.

By unanimous consent, the following resolutions (H.R. Nos. 593 to 597, 604 to 610) and concurrent resolutions (H.C.R. Nos. 144 to 149) were referred to the Committee on Legislative Management and further action was deferred until Tuesday, March 27, 1979:

A resolution (H.R. No. 593) requesting the House Committee on Youth and Elderly Affairs to study ways of preventing the development of delinquent behavior by juveniles was jointly offered by Representatives Aki, Baker, de Heer, Evans, Fukunaga, Hagino, Holt, Honda, Inaba, Kiyabu, Kobayashi, Lacy, Larsen, Lee, Machida, Marumoto, Morioka, Say, Segawa, Shito, Stanley, Suwa, Takamine, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

A resolution (H.R. No. 594) requesting the Department of Social Services and Housing to study the impact of changes in the general assistance program was jointly offered by Representatives Aki, Anderson, Baker, Blair, de Heer, Fukunaga, Hashimoto, Honda, Ige, Inaba, Kiyabu, Kunimura, Larsen, Lunasco, Morioka, Nakamura, Narvaes, Say, Suwa and Uechi.

A resolution (H.R. No. 595) requesting a study of the adequacy of flood

control measures in the Ewa-Ewa Beach and Lualualei Valley areas of Oahu was jointly offered by Representatives Aki, Peters, Baker, Crozier, de Heer, Garcia, Honda, Inaba, Kawakami, Kiyabu, Kobayashi, Machida, Morioka, Segawa, Stanley, Suwa, Takamine, Uwayne and D. Yamada.

A resolution (H.R. No. 596) requesting a report on the standardization and centralization of certain administrative aspects of state loan programs was jointly offered by Representatives Kobayashi, de Heer, Fukunaga, Hashimoto, Ige, Inaba, Kunimura, Lacy, Sutton and Suwa.

A resolution (H.R. No. 597) requesting initiation of a second increment to the Kahei Houselots Subdivision was jointly offered by Representatives Takamine, Aki, Baker, Blair, Crozier, de Heer, Dods, Hagino, Honda, Inaba, Kamalii, Kihano, Kunimura, Lee, Machida, Masutani, Morioka, Nakamura, Say, Segawa, Stanley, Suwa, Toguchi, Uwayne and K. Yamada.

A resolution (H.R. No. 604) requesting reconstruction of a culvert and construction of a guardrail at South Hilo was jointly offered by Representatives Takamine, Inaba, Segawa, Suwa and K. Yamada.

A resolution (H.R. No. 605) requesting reconstruction of the intersection at Hawaii Belt Road and the Honokaa/Waipio Road in Hamakua was jointly offered by Representatives Takamine, Inaba, Segawa, Suwa and K. Yamada.

A resolution (H.R. No. 606) requesting that community groups be authorized to use Building A of the Honokaa Civic Center as a community center was jointly offered by Representatives Takamine, Inaba, Segawa, Suwa and K. Yamada.

A resolution (H.R. No. 607) requesting a study on the feasibility and need to establish an intermediate school in Makakilo, Oahu, was jointly offered by Representatives Peters, Aki, Blair, de Heer, Hagino, Inaba, Kawakami, Kobayashi, Lee, Marumoto and Nakamura.

A resolution (H.R. No. 608) requesting the Department of Land and Natural Resources to initiate appropriate actions to enable members of the Maunalaha Valley Community Association to obtain longer term land leases

was jointly offered by Representatives Peters, de Heer, Fukunaga, Ushijima, Aki, Blair, Hagino, Inaba, Kawakami, Lee, Marumoto and Nakamura.

A resolution (H.R. No. 609) requesting the Attorney General to establish an anonymous toll-free hotline was jointly offered by Representatives de Heer, Aki, Baker, Blair, Crozier, Dods, Hashimoto, Honda, Ige, Inaba, Kawakami, Kiyabu, Kobayashi, Kunimura, Lee, Lunasco, Morioka, Nakamura, Segawa, Stanley, Takamine, Ushijima and D. Yamada.

A resolution (H.R. No. 610) requesting a study of the feasibility of adopting the federal method of computing the standard deduction through zero bracket amounts was offered by Representative Suwa.

A concurrent resolution (H.C.R. No. 144) requesting a study of the adequacy of flood control measures in the Ewa-Ewa Beach and Lualualei Valley areas of Oahu was jointly offered by Representatives Aki, Peters, Baker, de Heer, Evans, Fukunaga, Hagino, Holt, Honda, Inaba, Kiyabu, Kobayashi, Lacy, Larsen, Lee, Machida, Marumoto, Morioka, Say, Segawa, Shito, Stanley, Suwa, Takamine, Toguchi, Uechi, Ushijima, Uwayne, D. Yamada and K. Yamada.

A concurrent resolution (H.C.R. No. 145) requesting initiation of a second increment to the Kahei Houselots Subdivision was jointly offered by Representatives Takamine, Aki, Baker, Blair, de Heer, Hagino, Honda, Inaba, Kamalii, Kihano, Kunimura, Lee, Masutani, Morioka, Segawa, Stanley, Suwa, Toguchi, Uwayne and K. Yamada.

A concurrent resolution (H.C.R. No. 146) disapproving the optional incentive portion of the recommendations for a legislative salary plan submitted to the legislature by the Commission on Legislative Salary was jointly offered by Representatives Suwa and Kunimura.

A concurrent resolution (H.C.R. No. 147) requesting a study on the feasibility and need to establish an intermediate school in Makakilo, Oahu, was jointly offered by Representatives Peters, Aki, Baker, Blair, de Heer, Hagino, Honda, Inaba, Kawakami, Kobayashi, Lee, Marumoto, Nakamura and D. Yamada.

A concurrent resolution (H.C.R. No. 148) requesting the Attorney General to establish an anonymous toll-free hotline was jointly offered by Representatives de Heer, Aki, Baker, Blair, Crozier, Dods, Hashimoto, Honda, Ige, Inaba, Kawakami, Kiyabu, Kobayashi, Kunimura, Lee, Lunasco, Morioka, Nakamura, Segawa, Stanley, Takamine, Ushijima and D. Yamada.

A concurrent resolution (H.C.R. No. 149) requesting a study of the feasibility of adopting the federal method of computing the standard

deduction through zero bracket amounts was offered by Representative Suwa.

ADJOURNMENT

At 12:37 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Kamalii and carried by a rising vote, the House of Representatives adjourned in memory of Prince Kuhio until 11:00 o'clock a.m., Tuesday, March 27, 1979.

FORTY-THIRD DAY

Tuesday, March 27, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Angel Tagluco of the Cosmopolitan Community Church, after which the Roll was called showing all members present with the exception of Representatives Garcia, Kawakami, Larsen, Lee, Lunasco, Masutani, Toguchi, Ushijima and D. Yamada, who were excused.

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

On motion by Representative K. Yamada, seconded by Representative Evans and carried, reading of the Journal was dispensed with and the Journal of the Thirty-Third Day was approved.

By unanimous consent, reading and approval of the Journal of the Forty-Second Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 236 to 239) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 236) returning House Bill No. 340, H.D. 1, which passed Third Reading in the Senate on March 23, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 237) returning House Bill No. 402, which passed Third Reading in the Senate on March 23, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 238) returning House Bill No. 585, H.D. 1, which passed Third Reading in the Senate on March 23, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 239) returning House Bill No. 544 which passed Third Reading in the Senate on March 23, 1979, in an amended form, was placed on file.

By unanimous consent, House Bill No. 544, as amended by the Senate, was placed on the Clerk's desk, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 544, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

At this time, Representative Sutton introduced to the members of the House a visitor from Fort Walton Beach, Florida, Miss Carolyn Madden, niece of Ms. Geri Madden. A red carnation lei was presented to her by George Holeso, a staff member in Representative Sutton's office.

SUSPENSION OF RULES

On motion by Representative K. Yamada, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering a resolution.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 614) congratulating Miss Patricia Ann Kahele, the reigning Miss Leeward for 1979, and her court was jointly offered by Representatives Wakatsuki, Uechi, Kihano, Shito, Peters, Aki, Baker, Blair, de Heer, Dods, Fukunaga, Hagino, Hashimoto, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Lee, Lunasco, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Say, Segawa, Stanley, Sutton, Suwa, Takamine, Toguchi, Ushijima, Uwaine, D. Yamada and K. Yamada and was read by the Clerk.

On motion by Representative Uechi, seconded by Representative Kihano and carried, H.R. No. 614 was adopted.

Prior to introducing the honorees, Representative Kihano stated:

"Mr. Speaker, the Leeward Oahu Jaycees was organized in 1959 by the Wahiawa Jaycees and serviced the entire Leeward Oahu area from Aiea to Waianae. Starting with a nucleus of twenty members, the chapter grew to nearly 80 members within four years and now, there are chapters in Ewa Beach, Waianae, Aiea, Makakilo and Pearl Ridge, while the Leeward Oahu Jaycees presently serve the Waipahu - Pearl City areas.

The many projects, besides the Miss Leeward Pageant that the Leeward Oahu Jaycees sponsors, include the Waipahu

Christmas Parade, the carnival in Pearl City, and the Leeward Health Fair.

This is the third year the Leeward Oahu Jaycees have sponsored the Miss Leeward Scholarship Pageant. The production is a major event for the members in the Jaycees and participants include contestants from Moanalua to the North Shore of Oahu."

Representative Kihano then introduced the honorees, as follows: Patricia Ann Kahele (Moanalua), Miss Leeward for 1979; Beth Ann Rose (Mililani), first runner-up; Kim Thomas (Makakilo), second runner-up; Ninia Richardson (Aiea), Miss Congeniality; Suzette Parraga (Aliamanu), Miss Popularity; Mr. David Arakawa, General Chairman of the 1979 Miss Leeward Steering Committee; and Mr. Gary Fujii, President of the Leeward Oahu Jaycees.

Floral leis were presented to the honorees by Representatives Uechi, Shito, Peters and Aki, while certified copies of the resolution were presented by Representative Kihano.

At 11:17 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal aloha and congratulations to our honored guests."

Upon reconvening at 11:29 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Kawakami, Larsen, Lee, Lunasco, Masutani, Toguchi, Ushijima and D. Yamada.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 593 to 597 and 604 to 610) and concurrent resolutions (H.C.R. Nos. 144 to 149) were disposed of as follows:

H.R. Nos. Referred to:

593 Committee on Youth and Elderly Affairs, then to the Committee on Legislative Management

594 Committee on Public Assistance and Human Services, then to the Committee on Finance

595 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee

on Finance

596 Committee on Public Employment and Government Operations, then to the Committee on Finance

597 Committee on Housing, then to the Committee on Water, Land Use, Development and Hawaiian Affairs

604 Committee on Transportation, then to the Committee on Finance

605 Committee on Transportation, then to the Committee on Finance

606 Committee on Water, Land Use, Development and Hawaiian Affairs

607 Committee on Education, then to the Committee on Finance

608 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

609 Committee on Judiciary, then to the Committee on Finance

610 Committee on Finance

H.C.R. Nos. Referred to:

144 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

145 Committee on Housing, then to the Committee on Water, Land Use, Development and Hawaiian Affairs

146 Committee on Judiciary

147 Committee on Education, then to the Committee on Finance

148 Committee on Judiciary, then to the Committee on Finance

149 Committee on Finance

COMMITTEE REASSIGNMENTS

The following Senate bill was re-referred as follows:

S.B. No. Re-referred to:

1518 Committee on Finance

The following resolution was re-referred as follows:

H.R. No. Re-referred to:

172 Committee on Ocean and Marine Resources, then to the Committee on Finance

UNFINISHED BUSINESS

Stand. Com. Rep. No. 806 on H.C.R. No. 31 (Deferred from March 23, 1979):

Representative Nakamura moved that the report of the Committee be adopted and H.C.R. No. 31 be referred to the Committee on Finance, seconded by Representative K. Yamada.

Representative Anderson then rose and stated:

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

At 11:30 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:34 o'clock a.m., Representative Anderson stated:

"Mr. Speaker, I will withdraw my request at this time and speak to the Finance Committee."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF STATE AGENCIES INVOLVED WITH JUVENILE JUSTICE PREVENTION, TREATMENT, AND REHABILITATION", was referred to the Committee on Finance.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 824) informing the House that House Resolution Nos. 588 to 610, House Concurrent Resolution Nos. 144 to 149, and Standing Committee Report Nos. 799 to 823, have been printed and distributed.

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

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 825) recommending that H.R. No. 133 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of

the Committee was adopted and H.R. No. 133, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON AWARDING ATTORNEY'S FEES AND COURT COSTS", was referred to the Committee on Finance.

Representatives Ushijima and Uechi, for the Committees on Higher Education and Agriculture, presented a joint report (Stand. Com. Rep. No. 826) recommending that H.R. No. 330, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.R. No. 330, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE TARO INDUSTRY TO DETERMINE THOSE METHODS WHICH ARE BEST SUITED FOR TARO", was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 827) recommending that H.R. No. 380, as amended in HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 380, HD 1, entitled: "HOUSE RESOLUTION COMMENDING THE WOMEN'S STUDIES PROGRAM OF THE UNIVERSITY OF HAWAII AND REQUESTING PERMANENT STATUS FOR THE PROGRAM", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 828) recommending that H.R. No. 351, as amended in HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 351, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON THE EXTENT AND EFFECTIVENESS OF THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES PROGRAM FOR AGRICULTURE COOPERATIVE ASSOCIATIONS", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 829) recommending that H.R. No. 285 be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 285, entitled: "HOUSE RESOLUTION URGING ESTABLISHMENT OF INTERN WORK-EXPERIENCE PROGRAMS IN THE AGRICULTURAL

CURRICULA AT THE MANOA AND HILO CAMPUSES OF THE UNIVERSITY OF HAWAII", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 830) recommending that H.R. No. 271, as amended in HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 271, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP AND IMPLEMENT A WASTE PAPER RECOVERY PROGRAM FOR MAJOR STATE OFFICE BUILDINGS IN HONOLULU", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 831) recommending that H.R. No. 153, HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 153, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF MEANS TO STRENGTHEN DIVERSIFIED AGRICULTURE IN HAWAII THROUGH INCREASED EFFECTIVENESS OF AGRICULTURAL COOPERATIVES AND ALLIED AGRICULTURAL ASSOCIATIONS", was adopted.

Representative Nakamura, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 832) recommending that H.R. No. 480 be adopted.

On motion by Representative Nakamura, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 480, entitled: "HOUSE RESOLUTION COMMENDING THE LEO CLUBS OF HAWAII FOR THEIR EFFORTS IN COLLECTING USED BOOKS AND MAGAZINES FOR USE IN THE HAWAII STATE PRISON", was adopted.

Representative Nakamura, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 833) recommending that H.R. No. 258 be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 258, entitled: "HOUSE

RESOLUTION REQUESTING AN AUDIT OF STATE AGENCIES INVOLVED WITH JUVENILE JUSTICE PREVENTION, TREATMENT, AND REHABILITATION", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 615 to 617) and concurrent resolution (H.C.R. No. 153) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 615) commending the Home Builders Association of Hawaii in launching the first self-regulated home owners warranty program for new home buyers was jointly offered by Representatives Shito, Aki, Anderson, Baker, Crozier, de Heer, Dods, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lunasco, Machida, Marumoto, Medeiros, Morioka, Nakamura, Peters, Sakamoto, Say, Segawa, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Ushijima, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Shito, seconded by Representative Honda and carried, H.R. No. 615 was adopted.

A resolution (H.R. No. 616) expressing congratulations to Mr. Nelson Tattersall Tuitele on receiving the 1979 Hawaiian Lodge Number 21, Free and Accepted Masons, Hiram Award was jointly offered by Representatives Toguchi, Aki, Blair, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Honda, Ige, Ikeda, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Peters, Sakamoto, Say, Segawa, Stanley, Sutton, Suwa, Takamine, Takitani, Uechi, Ushijima, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Toguchi, seconded by Representative Blair and carried, H.R. No. 616 was adopted.

A resolution (H.R. No. 617) expressing congratulations to Mr. Melville L. Lemon, Sr. on receiving the 1979 Hawaiian Lodge Number 21, Free and Accepted Masons, Hiram Award was jointly offered by Representatives Aki, Blair, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Honda, Ige, Ikeda, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Peters, Sakamoto, Say, Segawa, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Aki, seconded by Representative Blair and carried, H.R. No. 617 was adopted.

At 11:37 o'clock a.m., upon request by Representative Say, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:46 o'clock a.m.

A concurrent resolution (H.C.R. No. 153) eulogizing the late Jean Charlot, great artist of international fame was jointly offered by Representatives Say, Masutani, Aki, Crozier, de Heer, Dods, Evans, Fukunaga, Hagino, Hashimoto, Holt, Ige, Ikeda, Inaba, Kamalii, Kiyabu, Kunimura, Lacy, Lee, Lunasco, Machida, Marumoto, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Segawa, Shito, Stanley, Sutton, Takitani, Toguchi, D. Yamada and Wakatsuki.

On motion by Representative Say, seconded by Representative Masutani and carried, H.C.R. No. 153 was adopted by a rising vote.

By unanimous consent, the following resolutions (H.R. Nos. 611 to 613 and 618) and concurrent resolutions (H.C.R. Nos. 150 to 152 and 154) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 28, 1979:

A resolution (H.R. No. 611) supporting and urging implementation of bus re-routing as requested by the students of the University of Hawaii was offered by Representative Ushijima.

A resolution (H.R. No. 612) requesting expansion or re-routing of bus service to accommodate students during peak student travel hours was offered by Representative Ushijima.

A resolution (H.R. No. 613) requesting the City and County of Honolulu to ban fireworks in Waikiki except as permitted by the Chief of Police for ceremonial and religious observances was jointly offered by Representatives Kamalii, Lacy, Baker, Crozier, de Heer, Dods, Evans, Honda, Ikeda, Kawakami, Kihano, Kiyabu, Kunimura, Larsen, Lee, Marumoto, Masutani, Medeiros, Morioka, Peters, Segawa, Shito, Stanley, Sutton, Takamine, Takitani, Toguchi, Uwaine and D. Yamada.

A resolution (H.R. No. 618) request-

ing the Hawaii Crime Commission to evaluate the desirability and feasibility of enacting a set of standards governing residential and commercial dwellings and building, providing for the minimum security device(s) each dwelling or building must contain and the minimum security measure(s) which must be provided for with respect thereto was offered by Representative D. Yamada.

A concurrent resolution (H.C.R. No. 150) requesting the Governor of the State of Hawaii to convene the Juvenile Justice Interagency Board was jointly offered by Representatives Nakamura, Aki, Baker, de Heer, Honda, Inaba, Kawakami, Kobayashi, Lee, Marumoto and D. Yamada.

A concurrent resolution (H.C.R. No. 151) requesting the City and County of Honolulu to ban fireworks in Waikiki except as permitted by the Chief of Police for ceremonial and religious observances was jointly offered by Representatives Kamalii, Lacy, Crozier, de Heer, Dods, Evans, Ikeda, Kihano, Kunimura, Larsen, Lee, Marumoto, Masutani, Morioka, Peters, Segawa, Shito, Stanley, Sutton, Takamine, Takitani and Toguchi.

A concurrent resolution (H.C.R. No. 152) relating to a functional plan for housing was offered by Representative Wakatsuki (by request).

A concurrent resolution (H.C.R. No. 154) requesting a feasibility study on the establishment of an Olympic training center and sports medicine clinic in Hawaii was jointly offered by Representatives Kiyabu, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Uwaine, D. Yamada and K. Yamada.

SUSPENSION OF RULES

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

THIRD READING

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

taken:

S.B. No. 1096, SD 2, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1096, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1097, SD 2, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1097, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1098, SD 2, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1098, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1099, SD 2, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1099, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1100, SD 2, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1100, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1101, SD 2, HD 1:

On motion by Representative Suwa,

seconded by Representative Morioka and carried, S.B. No. 1101, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1102, SD 2, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1102, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1103, SD 2, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1103, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1104, SD 2, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1104, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1105, SD 2, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1105, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1108, SD 2, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1108, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1742, SD 1, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1742, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1106, SD 2, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 1106, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

The Chair directed the Clerk to note that S.B. Nos. 1096, 1097, 1098, 1099, 1100, 1101 and 1102 had passed Third Reading at 11:49 o'clock a.m., and S.B. Nos. 1103, 1104, 1105, 1108, 1742 and 1106 had passed Third Reading at 11:50 o'clock a.m.

At this time, the Chair stated:

"It is intended that this body recess until 6:00 o'clock p.m. this evening to act on all lateral movements. It is requested that all Chairmen with those bills -- get your Committee reports prepared, send it down to the Clerk's Office for printing, and all members check with the Chairmen for Committee signatures."

At 11:52 o'clock a.m., upon request by Representative Uwaine, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:55 o'clock a.m.

At 11:56 o'clock a.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives stood in recess until 6:00 o'clock p.m. this evening.

EVENING SESSION

The House of Representatives reconvened at 6:05 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 834) recommending that S.B. No. 1737, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and S.B. No. 1737, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was referred to the Committee on Finance.

Representatives Dods and Kiyabu, for the Committees on Transportation and State General Planning, presented a joint report (Stand. Com. Rep. No. 835) recommending that S.B. No. 758 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Kiyabu and carried, the joint report of the Committees was adopted and S.B. No. 758, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", passed Second Reading and was referred to the Committee on Finance.

Representatives Kiyabu and Stanley, for the Committees on State General Planning and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 836) recommending that S.B. No. 1764, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kiyabu, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and S.B. No. 1764, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE IMMIGRANT SERVICES CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 837) recommending that S.B. No. 28, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the majority of the Committee was adopted and S.B. No. 28, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF THE BOARD OF EDUCATION (CONSTITUTIONAL AMENDMENTS OF ARTICLE X, SECTION 3)", passed Second Reading and was referred to the Committee on Judiciary.

Representative Lunasco, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 838) recommending that S.B. No. 1373, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the majority of the Committee was adopted and S.B. No. 1373, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 839) recommending that S.B. No. 46, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Stanley, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 46, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICE AND EMPLOYMENT (CONSTITUTIONAL AMENDMENT OF ARTICLE XVI, SECTION 3)", passed Second Reading and was referred to the Committee on Judiciary.

Representatives Stanley and Shito, for the Committees on Public Employment and Government Operations and Housing, presented a joint report (Stand. Com. Rep. No. 840) recommending that S.B. No. 1483, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Shito and carried, the joint report of the Committees was adopted and S.B. No. 1483, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CIVIL SERVICE FOR THE HAWAII HOUSING AUTHORITY TENANT HIRE PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representatives D. Yamada and Blair, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand.

Com. Rep. No. 841) recommending that S.B. No. 87, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative K. Yamada, seconded by Representative Blair and carried, the joint report of the Committees was adopted and S.B. No. 87, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 842) recommending that S.B. No. 1771, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kobayashi, seconded by Representative Aki and carried, the report of the Committee was adopted and S.B. No. 1771, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 843) recommending that S.B. No. 1611, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kobayashi, seconded by Representative Aki and carried, the report of the Committee was adopted and S.B. No. 1611, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 844) recommending that S.B. No. 1540, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kobayashi, seconded by Representative Aki and carried, the report of the Committee was adopted and S.B. No. 1540, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EQUIPMENT", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 845) recommending that S.B. No. 1537 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kobayashi,

seconded by Representative Aki and carried, the report of the Committee was adopted and S.B. No. 1537, entitled: "A BILL FOR AN ACT RELATING TO KAPIOLANI CHILDREN'S MEDICAL CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 846) recommending that S.B. No. 31, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 31, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PAYMENTS (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 3)", passed Second Reading and was referred to the Committee on Finance.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a joint report (Stand. Com. Rep. No. 847) recommending that S.B. No. 1389, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Fukunaga, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and S.B. No. 1389, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND DEVELOPMENT OF KAUAI", passed Second Reading and was referred to the Committee on Finance.

Representatives Uechi and Stanley, for the Committees on Agriculture and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 848) recommending that S.B. No. 1409, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and S.B. No. 1409, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE", passed Second Reading and was referred to the Committee on Finance.

Representatives Uechi and Kawakami, for the Committees on Agriculture

and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 849) recommending that S.B. No. 77, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Fukunaga and carried, the joint report of the Committees was adopted and S.B. No. 77, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", passed Second Reading and was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 850) recommending that S.B. No. 849, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Shito moved that the report of the Committee be adopted and S.B. No. 849, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance.

At this time, Representative Sutton rose and asked whether or not the Chairman of the Housing Committee would yield to a question, whereupon Representative Shito asked for a recess.

At 6:10 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 6:11 o'clock p.m., Representative Sutton stated:

"Mr. Speaker, because of the fact that I am on Finance, I will have adequate opportunity to clean a couple of things up at that time. I will take a 'no' at this time though."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 849, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX ON GAINS FROM THE SALE OR EXCHANGE OF REAL PROPERTY", passed Second Reading and was referred to the Committee on Finance, with Representatives Anderson and Sutton voting no.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 851) recommending that S.B. No. 615, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative K. Yamada and carried, the report of the Committee

was adopted and S.B. No. 615, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT OF RETIRED PATIENT EMPLOYEES OF THE DEPARTMENT OF HEALTH", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 852) recommending that S.B. No. 436, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Stanley moved that the report of the Committee be adopted and S.B. No. 436, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative K. Yamada.

Representative Lee then rose and asked:

"Mr. Speaker, can I have my 'no' vote registered on this particular bill on Second Reading?"

The Chair then said:

"The Chair would like to explain to all members that on a voice vote, the Chair would rule that the ayes have it or the noes have it. If any of you wish to express some negative remarks into the Journal, you are permitted to do so, but votes will not be cast individually."

The Chair then recognized Representative Lee and he stated:

"Mr. Speaker, I rise to speak against this bill.

I just want to bring to the members' attention that as Chairman of this particular committee for four years, in eight sessions, after lengthy hearings every year, just about, my decision as Chairman was to file this bill. I suggest that we read it very carefully.

Thank you very much."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 436, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED COMPENSATION PLANS", passed Second Reading and was referred to the Committee on Finance.

Representative Larsen, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 853) recommending that S.B. No. 1591, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Larsen, seconded by Representative Takitani and carried, the report of the Committee was adopted and S.B. No. 1591, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY COMMISSION AND ENVIRONMENTAL IMPACT STATEMENTS", was referred to the Committee on Judiciary.

Representative Larsen, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 854) recommending that S.B. No. 1594, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Larsen, seconded by Representative Takitani and carried, the report of the Committee was adopted and S.B. No. 1594, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION PERMIT FEES", passed Second Reading and was referred to the Committee on Finance.

ADJOURNMENT

At 6:15 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, Wednesday, March 28, 1979.

FORTY-FOURTH DAY

Wednesday, March 28, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Myoshin Ichinose of Soto Mission, after which the Roll was called showing all members present with the exception of Representatives Blair and Kunimura, who were excused.

By unanimous consent, reading and approval of the Journal of the Forty-Third Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 84 and 85) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 84) transmitting copies of a report prepared by the State Water Commission, entitled: "Hawaii's Water Resources: Directions for the Future", was placed on file.

A message from the Governor (Gov. Msg. No. 85) transmitting copies of the 1977-1978 Annual Report, prepared by the School Health Branch, Family Health Services Division, Department of Health, was placed on file.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 8 and 9) were read by the Clerk and were disposed of as follows:

A communication from Howard P. McKaughan, Acting Chancellor, University of Hawaii at Manoa (Dept. Com. No. 8) acknowledging receipt of House Resolution No. 284, HD 1, urging the release of funds for the hiring of a plant crop extension agent and two research technicians for the Kona Experiment Station, College of Tropical Agriculture and Human Resources, University of Hawaii, was placed on file.

A communication from Howard P. McKaughan, Acting Chancellor, University of Hawaii at Manoa (Dept. Com. No. 9) acknowledging receipt of a copy of House Resolution No. 514,

extending congratulations to the University of Hawaii's Department of Drama and Theatre, was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 240 to 253) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 240) transmitting Senate Concurrent Resolution No. 27, requesting the Governor of the State of Hawaii to take immediate action toward the acquisition and return of Tern Island and its facilities to the State of Hawaii, which was adopted by the Senate on March 27, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 241) transmitting Senate Concurrent Resolution No. 63, relating to the disapproval of the legislative salary plan submitted by the 1978 Commission on Legislative Salary, which was adopted by the Senate on March 27, 1979, was placed on file.

By unanimous consent, further action on S.C.R. Nos. 27 and 63 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 242) transmitting Senate Concurrent Resolution No. 64, commending the Friends of Iolani Palace for the outstanding and distinguished public services rendered with regard to the restoration and operation of Iolani Palace, which was adopted by the Senate on March 27, 1979, was placed on file.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, S.C.R. No. 64 was adopted.

At 11:15 o'clock a.m., upon request by Representative Lunasco, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:20 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Blair and Kunimura.

A communication from the Senate (Sen. Com. No. 243) returning House Concurrent Resolution No. 74, which was adopted by the Senate on March 27, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 244) returning House Concurrent Resolution No. 128, which was adopted

by the Senate on March 27, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 245) returning House Concurrent Resolution No. 9, requesting a ten million barrel capacity strategic petroleum reserve for Hawaii, which was adopted by the Senate on March 27, 1979, in an amended form, was placed on file.

By unanimous consent, H.C.R. No. 9, as amended by the Senate, was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 246) returning House Bill No. 165, which passed Third Reading in the Senate on March 27, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 247) returning House Bill No. 356, HD 1, which passed Third Reading in the Senate on March 27, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 248) returning House Bill No. 404, which passed Third Reading in the Senate on March 27, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 249) returning House Bill No. 93, which passed Third Reading in the Senate on March 27, 1979, in an amended form, was placed on file.

By unanimous consent, H.B. No. 93, as amended by the Senate, was placed on the Clerk's desk, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 93, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 250) returning House Bill No. 171, HD 1, which passed Third Reading in the Senate on March 27, 1979, in an amended form, was placed on file.

By unanimous consent, H.B. No. 171, HD 1, as amended by the Senate, was placed on the Clerk's desk, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 171, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 251) returning House Bill No. 1394, HD 1, which passed Third Reading in the Senate on March

27, 1979, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1394, HD 1, as amended by the Senate, was placed on the Clerk's desk, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1394, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 252) returning House Bill No. 1496, HD 1, which passed Third Reading in the Senate on March 27, 1979, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1496, HD 1, as amended by the Senate, was placed on the Clerk's desk, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1496, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 253) returning House Concurrent Resolution No. 153, which was adopted by the Senate on March 27, 1979, was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 26 to 31) were read by the Clerk and were disposed of as follows:

A communication from Patrick H. De Leon, Ph.D., MPH, Executive Assistant to Senator Daniel K. Inouye (Misc. Com. No. 26) acknowledging receipt of a copy of House Resolution No. 257, requesting renewed efforts by Hawaii's Congressional delegation for legislation to assist Hawaii's immigrant population, and enclosing a communication to the Honorable Joseph A. Califano, Jr., Secretary, Department of Health, Education and Welfare, relating to same, was placed on file.

A communication from the Honorable Elmer F. Cravalho, Mayor, County of Maui (Misc. Com. No. 27) acknowledging receipt of a copy of House Resolution No. 534, congratulating the sponsors of the Maui Family Reunion Conference for their efforts to honor 1979 as The International Year of the Child, was placed on file.

A communication from Ms. C. Matano, Administrative Assistant to Senator Spark Matsunaga (Misc. Com. No. 28) acknowledging receipt of a copy of House Resolution No. 278, relating to the slaughter of

whales, was placed on file.

A communication from Arthur J. Rooney, Sr. (Misc. Com. No. 29) acknowledging receipt of House Resolution No. 533, was placed on file.

A communication from the Honorable Cec Heftel, Member of Congress (Misc. Com. No. 30) acknowledging receipt of House Resolution No. 257, requesting renewed efforts by Hawaii's Congressional delegation for legislation to assist Hawaii's immigrant population, and responding to said resolution, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 31) acknowledging receipt of a copy of House Resolution No. 278, HD 1, relating to the Pelly Amendment of the Fishermen's Protective Act, was placed on file.

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

Representative Sutton introduced Mr. and Mrs. Jake Davis from Wilton Junction, Iowa.

Representative Ige introduced participants of the Castle High School student government. They were accompanied by Byron Liu, Vice President, and Jann Yamashiro, incoming President.

Representative de Heer introduced Mr. Herbert Hashimoto, father of Representative Hashimoto, and her cousin, Gerry Abe.

SUSPENSION OF RULES

On motion by Representative K. Yamada, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain resolutions.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 619 to 621) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 619) extending congratulations to Pearl City High School Band on its invitation to play at the Tournament of Roses Parade was jointly offered by Representatives Hashimoto, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi,

Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Hashimoto, seconded by Representative Masutani and carried, H.R. No. 619 was adopted.

At this time, Representative Hashimoto introduced the following persons to the members of the House: Mr. Andy Nii, Principal of Pearl City High School; Mr. Michael Nakasone, band instructor; Ms. Jana Morisada, President of the band; and Mr. Stanford Wong, drum major.

Red carnation leis were presented to the honorees by Representatives Fukunaga, Stanley, Masutani and Ikeda, and Representative Hashimoto presented them with certified copies of the resolution.

A resolution (H.R. No. 620) commending the Twenty-Second Hawaiian Science and Engineering Fair was jointly offered by Representatives Ushijima, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Garcia, Hagino, Hashimoto, Honda, Ige, Ikeda, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Nakamura, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Ushijima, seconded by Representative Lunasco and carried, H.R. No. 620 was adopted.

Representative Ushijima then proceeded to introduce the honorees, stating:

"Mr. Speaker, I believe the resolution has spoken for itself. There are many, many dedicated people who have contributed these past years to the success of such a fair and we have with us this morning, two dedicated officials of the Science and Engineering Fair."

Representative Ushijima then introduced Professor Robert L. Campbell, Director of the 22nd Hawaiian Science and Engineering Fair Committee, and Mr. John Catrade, Chairman of the Public Relations Committee of the Fair.

Floral leis were presented to the honorees by Representatives Stanley and Fukunaga, while Representative Lunasco presented Professor Campbell with a certified copy of the resolution.

A resolution (H.R. No. 621) congratulating Punahou on winning the 1979 State Basketball Tournament was jointly offered by Representatives Kamalii, Marumoto, Ushijima, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Kamalii, seconded by Representative Marumoto and carried, H.R. No. 621 was adopted.

Representative Kamalii then proceeded to introduce the team and coaching staff, stating:

"Mr. Speaker and members of the House, I am pleased to introduce the Punahou School basketball team and coaching staff today.

Having once served as President of the Punahou Alumni Association, I am always ready, Mr. Speaker, to say that Punahou students and graduates are always on the ball, know the score, and they don't win. This year, however, the Punahou basketball team won the Oahu Interscholastic League Tournament and went on to be the undisputed State champions.

Unfortunately, this is Spring break and all of the members of this outstanding team are not with us."

Representative Kamalii then introduced Mr. Chris McLachlin, Coach; Mr. Pete Howard, Assistant Coach; and team members, John Kamana, Darryl Gabriel, Dan Hale, Jason Oshima, Darin Maurer, Matt Hiu and Alan Lum; and team manager, Danny Moore.

Representatives Marumoto and Kamalii then presented floral leis to the honorees while Representative Ushijima presented them with certified copies of the resolution.

Representative Sutton was recognized and he introduced Mrs. Hale, his administrative aide, and mother of Dan Hale.

At 11:40 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal congratulations and aloha to our honored guests."

The House of Representatives reconvened at 11:46 o'clock a.m.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 611 to 613 and 618) and concurrent resolutions (H.C.R. Nos. 150 to 152 and 154 and S.C.R. Nos. 27 and 63) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
611	Committee on Transportation
612	Committee on Transportation
613	Committee on Judiciary
618	Committee on Judiciary, then to the Committee on Housing, then to the Committee on Finance

H.C.R. Nos.

150	Committee on Corrections and Rehabilitation
151	Committee on Judiciary
152	Jointly to the Committees on State General Planning and Housing
154	Committee on Health, then to the Committee on Finance

S.C.R. Nos.

27	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Ocean and Marine Resources
63	Committee on Judiciary

COMMITTEE REASSIGNMENTS

The following resolutions were re-referred as follows:

<u>H.R. Nos.</u>	<u>Re-referred to:</u>
86	Committee on Transportation, then to the Committee on Legislative Management
156	Committee on Ecology and Environmental Protection, then to the Committee on Health, then to the Committee on Legislative Management
169	Jointly to the Committees on Ocean and Marine Resources and Education, then to the Committee on Finance
344	Jointly to the Committees on Youth and Elderly Affairs and Employment Opportunities and Labor Relations,

then to the Committee on Legislative Management

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 855) informing the House that House Resolution Nos. 611 to 618, House Concurrent Resolution Nos. 150 to 154, and Standing Committee Report Nos. 825 to 854, were printed and distributed.

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

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 856) recommending that H.R. No. 172, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.R. No. 172, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE FINAL REPORT ON THE DEVELOPMENT OF THE HAWAIIAN FISHERIES MASTER PLAN", was referred to the Committee on Finance.

Representatives Aki and Segawa, for the Committees on Youth and Elderly Affairs and Health, presented a joint report (Stand. Com. Rep. No. 857) recommending that H.R. No. 471, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the joint report of the Committees was adopted and H.R. No. 471, HD 1, entitled: "HOUSE RESOLUTION RELATING TO THE NEED FOR ADDITIONAL DAY CARE CENTERS FOR THE ELDERLY IN THE STATE OF HAWAII", was referred to the Committee on Finance.

Representatives Aki and Segawa, for the Committees on Youth and Elderly Affairs and Health, presented a joint report (Stand. Com. Rep. No. 858) recommending that H.R. No. 321, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the joint report of the Committees was adopted and H.R. No. 321, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STATUS REPORT

ON IMPLEMENTATION OF A STATEWIDE COMMUNITY EDUCATION AND PUBLIC INFORMATION PROGRAM PERTAINING TO TRANSITIONAL HOMES AND CONDITIONAL RELEASE CENTERS", was referred to the Committee on Finance.

Representatives Aki and Takamine, for the Committees on Youth and Elderly Affairs and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 859) recommending that H.R. No. 344, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Takamine, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.R. No. 344, HD 1, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF THE NEED FOR SPECIAL SERVICES TO ASSIST THE ELDERLY IN SEEKING EMPLOYMENT", was referred to the Committee on Legislative Management.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 860) recommending that H.R. No. 352, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 352, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CREATION OF A COMPUTERIZED JOB INFORMATION SYSTEM", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 861) recommending that H.R. No. 402, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 402, HD 1, entitled: "HOUSE RESOLUTION REQUESTING IMMEDIATE ACTION ON THE COMPENSATION PLANS OF SECRETARIAL CLASSES WITHIN THE CIVIL SERVICE SYSTEM", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 862) recommending that H.C.R. No. 76, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.C.R. No. 76, HD

1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING IMMEDIATE ACTION ON THE COMPENSATION PLANS OF SECRETARIAL CLASSES WITHIN THE CIVIL SERVICE SYSTEM", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 863) recommending that H.R. No. 139, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.R. No. 139, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY AND DESIRABILITY OF CODIFYING THE RULES OF EVIDENCE", was referred to the Committee on Legislative Management.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 864) recommending that H.C.R. No. 85, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.C.R. No. 85, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY AND DESIRABILITY OF CODIFYING THE RULES OF EVIDENCE", was referred to the Committee on Legislative Management.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 865) recommending that H.R. No. 406, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.R. No. 406, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY AND EVALUATION OF THE LOBBYIST REGISTRATION LAW", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 866) recommending that H.R. No. 485, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee

was adopted and H.R. No. 485, HD 1, entitled: "HOUSE RESOLUTION RELATING TO THE DEVELOPMENTALLY DISABLED", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 867) recommending that H.C.R. No. 107, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.C.R. No. 107, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE DEVELOPMENTALLY DISABLED", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 868) recommending that H.R. No. 395, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 395, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE STATUS AND NEEDS OF DEVELOPMENTALLY DISABLED ADULTS", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 869) recommending that H.R. No. 156, as amended in HD 2, be referred to the Committee on Legislative Management.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 156, HD 2, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON THE STATUS OF HAWAII'S NOISE ABATEMENT AND ENFORCEMENT PROGRAM", was referred to the Committee on Legislative Management.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 628 to 634) and concurrent resolution (H.C.R. No. 158) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 628) congratulating the First Chinese Church of Christ in Hawaii on the occasion of its 100th Anniversary was jointly offered by Representatives Blair, Stanley, Aki, Baker, Dods, Hagino, Hashimoto, Holt, Honda, Inaba, Kamalii, Kiyabu, Kunitura, Larsen, Lee, Marumoto, Sakamoto, Say, Sutton, Takamine, Uechi, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Blair, seconded by Representative Stanley and carried, H.R. No. 628 was adopted.

A resolution (H.R. No. 629) honoring Lucille Brown was jointly offered by Representatives Peters, Aki, Ige, Kamalii, Kiyabu, Marumoto, Medeiros, Narvaes, Say, Shito, Stanley, Takamine, Takitani, Toguchi, Uechi, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Peters, seconded by Representative Aki and carried, H.R. No. 629 was adopted.

A resolution (H.R. No. 630) recognizing and commending Philip W.T. Choy for his outstanding public service was jointly offered by Representatives Peters, Aki, Ige, Kamalii, Kiyabu, Kunimura, Marumoto, Medeiros, Narvaes, Say, Shito, Stanley, Takamine, Takitani, Toguchi, Uechi, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Peters, seconded by Representative Aki and carried, H.R. No. 630 was adopted.

A resolution (H.R. No. 631) congratulating and commending Kalani High School on its Twentieth Anniversary and on its many achievements over the years was jointly offered by Representatives Kiyabu, Kobayashi, Larsen, Marumoto, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kunimura, Lacy, Lee, Lunasco, Machida, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Kiyabu, seconded by Representative Kobayashi and carried, H.R. No. 631 was adopted.

A resolution (H.R. No. 632) congratulating the Hawaii Youth Symphony Association on their successful fund-raising luncheon concert was jointly offered by Representatives Say, Hagino, Aki, Crozier, Dods, Fukunaga, Ige, Inaba, Kiyabu, Kunimura, Lacy, Lee, Lunasco, Marumoto, Medeiros, Morioka, Nakamura, Narvaes, Shito, Stanley, Sutton, Toguchi and D. Yamada.

On motion by Representative Say, seconded by Representative K. Yamada and carried, H.R. No. 632 was adopted.

A resolution (H.R. No. 633) commending the coaches and officials of the Palolo Indians Baseball Association

and the Palolo Indians Parents Baseball Association for their dedicated service to the youth of the community was jointly offered by Representatives Morioka, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Uwaine, Ushijima, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Morioka, seconded by Representative Say and carried, H.R. No. 633 was adopted.

A resolution (H.R. No. 634) commending the coaches and officials of the Palolo Little League for their dedicated service to the youth of the community was jointly offered by Representatives Morioka, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, K. Yamada and Wakatsuki.

On motion by Representative Morioka, seconded by Representative Say and carried, H.R. No. 634 was adopted.

A concurrent resolution (H.C.R. No. 158) extending congratulations to the Queen's Medical Center on its 120th Anniversary was jointly offered by Representatives Segawa, Aki, Anderson, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Segawa, seconded by Representative Uwaine and carried, H.C.R. No. 158 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 622 to 627 and 635) and concurrent resolutions (H.C.R. Nos. 155 to 157) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 29, 1979:

A resolution (H.R. No. 622) urging postponement of the proposed construction of two 138 kilovolt transmission lines through Palolo Valley was jointly offered by Representatives Say, Morioka, Kiyabu, Kobayashi, Hagino and Uwaine.

A resolution (H.R. No. 623) relating to child care centers and programs was jointly offered by Representatives Aki, Baker, Blair, Crozier, de Heer, Dods, Evans, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kiyabu, Kunimura, Lacy, Lee, Machida, Masutani, Morioka, Nakamura, Peters, Sakamoto, Segawa, Shito, Stanley, Sutton, Takamine, Toguchi, Uechi, Ushijima, Uwaine and D. Yamada.

A resolution (H.R. No. 624) requesting Hawaii Public Television to examine the feasibility of expanding local sports and recreational events programming was jointly offered by Representatives Holt, Baker, Blair, Crozier, de Heer, Dods, Fukunaga, Hashimoto, Honda, Ige, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Machida, Masutani, Morioka, Peters, Sakamoto, Say, Shito, Stanley, Suwa, Takamine, Takitani, Toguchi, Uechi and D. Yamada.

A resolution (H.R. No. 625) requesting an examination of dental services was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Ushijima and D. Yamada.

A resolution (H.R. No. 626) requesting that the Brantley Center, Inc., for the handicapped be authorized the use of the vacant teachers cottages at Honokaa School and that the Hawaii Housing Authority turn over maintenance, renovation, and refurbishing responsibility for these cottages to the Department of Accounting and General Services was jointly offered by Representatives Takamine, Inaba, Segawa, Suwa and K. Yamada.

A resolution (H.R. No. 627) requesting an investigation of the adequacy of clerical staff levels in the State's public schools and noncompensated overtime by their clerical personnel was jointly offered by Representatives Takamine, Inaba, Lunasco, Segawa, Suwa and K. Yamada.

A resolution (H.R. No. 635) recognizing the month of March as Red Cross Month in Hawaii and the outstanding service of all Red Cross volunteers was jointly offered by Representatives Toguchi, Say, Aki, Baker, Crozier, Dods, Evans, Hagino, Hashimoto,

Holt, Honda, Ikeda, Inaba, Kobayashi, Kunimura, Larsen, Morioka, Sakamoto, Shito, Stanley, Suwa, Takitani, Uwaine, D. Yamada and K. Yamada.

A concurrent resolution (H.C.R. No. 155) urging postponement of the proposed construction of two 138 kilovolt transmission lines through Palolo Valley was jointly offered by Representatives Say, Morioka, Kiyabu, Hagino, Kobayashi and Uwaine.

A concurrent resolution (H.C.R. No. 156) requesting an examination of dental services was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Ushijima and D. Yamada.

A concurrent resolution (H.C.R. No. 157) requesting the Office of Legislative Auditor to examine and report on the program and performance of State employed psychiatrists was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Ushijima and D. Yamada.

At 11:52 o'clock a.m., upon request by Representative Kunimura, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:55 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 870) recommending that S.B. No. 621, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and S.B. No. 621, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 1979.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 871) recommending that S.B. No. 625, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and S.B. No. 625, SD 1,

entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL FISHING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 1979.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 872) recommending that S.B. No. 626, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and S.B. No. 626, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGNATION OF AGENTS TO SELL FRESHWATER GAME FISH LICENSES", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 1979.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 873) recommending that S.B. No. 627, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, the report of the Committee

was adopted and S.B. No. 627, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM SIZES OF FISH", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 1979.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 621, SD 1; 625, SD 1; 626, SD 1; and 627, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

The Chair, at this time, stated:

"The Chair would like to remind all Committee Chairmen to get your bills prepared for decking on or before Friday. All Committee members should check with the Chairmen for the time and place to sign your Committee reports.

The Chair would also like to remind all members to schedule your activities accordingly on Friday. We may have a very long day -- keep it open."

ADJOURNMENT

At 11:59 o'clock a.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, Thursday, March 29, 1979.

FORTY-FIFTH DAY

Thursday, March 29, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend John Britton of First Baptist Church of Aiea, after which the Roll was called showing all members present with the exception of Representatives Garcia and Ikeda, who were excused.

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

On motion by Representative K. Yamada, seconded by Representative Evans and carried, reading of the Journal was dispensed with and the Journal of the Thirty-Fourth Day was approved.

SUSPENSION OF RULES

On motion by Representative K. Yamada, seconded by Representative Evans and carried, the Rules were suspended for the purpose of taking up certain resolutions out of order.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 636) was read by the Clerk and was disposed of as follows:

A resolution (H.R. No. 636) extending congratulations to Linda M. H. Lee for being named Red Cross Volunteer of the Year for Oahu was jointly offered by Representatives Evans, Wakatsuki, Uechi, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Fukunaga, Garcia, Hagino, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Evans, seconded by Representative Sakamoto and carried, H.R. No. 636 was

adopted.

At this time, Representative Evans rose to speak on H.R. No. 636:

"Mr. Speaker, before I introduce our guest of honor, I would like to introduce all the friends and relatives who are in the gallery this morning. Would you all stand to be recognized? Thank you.

It was a little bit hard doing, Mr. Speaker. Her husband, Reginald, had a lot to do with this because it was a secret up until about fifteen minutes ago and her boss, Jim Swenson and many others worked on this to make it a success.

I have known Linda ever since we both attended an Immunization Action Conference in Missouri. I was representing the State PTA and Linda was representing the Department of Health. We had a good time and we learned a lot.

It takes a truly exceptional individual to handle so many varied activities. Her devotion to improving the quality of health care to her civic and youth-oriented activities and to her home and family is outstanding. Her family is with her today and I would like to introduce them to you now: her husband, Reggie; and their two daughters, Gina-Marie and Lea-Michelle."

At this time, Representatives Evans, Medeiros and Takitani presented the honoree and her family with leis and a copy of the resolution.

At 11:15 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

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

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 622 to 627 and 635) and concurrent resolutions (H.C.R. Nos. 155 to 157) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
622	Jointly to Committee on

Ecology and Environmental Protection
and Committee on Water, Land
Use, Development and Hawaiian
Affairs and Committee on Energy,
then to Committee on Consumer
Protection and Commerce

623 Committee on Youth and
Elderly Affairs, then to Committee
on Legislative Management

624 Committee on Culture and
the Arts, then to Committee on
Finance

625 Committee on Health, then
to Committee on Finance

626 Committee on Housing,
then to Committee on Education

627 Committee on Education,
then to Committee on Legislative
Management

635 Committee on Health

H.C.R. Nos.

155 Jointly to Committee on
Ecology and Environmental Protection,
Committee on Water, Land Use,
Development and Hawaiian Affairs
and Committee on Energy, then
to Committee on Consumer Protection
and Commerce

156 Committee on Health, then
to Committee on Finance

157 Committee on Health, then
to Committee on Finance

COMMITTEE REASSIGNMENTS

The following resolutions were
re-referred as follows:

H.R. Nos. Re-Referred to:

44 Committee on Employment
Opportunities and Labor Relations,
then to Committee on Finance

477 Committee on Corrections
and Rehabilitation, then to Committee
on Legislative Management

H.C.R. No.

146 Committee on Judiciary,
then to Committee on Finance

S.C.R. No.

63 Committee on Judiciary,
then to Committee on Finance

STANDING COMMITTEE REPORTS

Representative Kunimura, for
the Committee on Legislative Management,
presented a report (Stand. Com.
Rep. No. 874) informing the House
that House Resolution Nos. 619 to
635, House Concurrent Resolution
Nos. 155 to 158 and Standing Committee
Report Nos. 856 to 873 have been
printed and distributed.

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

Representative Nakamura, for
the Committee on Corrections and
Rehabilitation, presented a report
(Stand. Com. Rep. No. 875) recommend-
ing that H.R. No. 326, as amended
in HD 1, be referred to the Committee
on Finance.

On motion by Representative Nakamura,
seconded by Representative Honda
and carried, the report of the Committee
was adopted and H.R. No. 326,
HD 1, entitled: "HOUSE RESOLUTION
REQUESTING A FEASIBILITY STUDY
BY THE DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES TO RESTORE
HILLTOP COTTAGE OF THE HAWAII
YOUTH CORRECTIONAL FACILITY
TO HOUSE INMATES" was referred
to the Committee on Finance.

Representatives Kiyabu and Machida,
for the Committees on State General
Planning and Tourism, presented
a joint report (Stand. Com. Rep.
No. 876) recommending that H.R.
No. 78, as amended in HD 1, be
referred to the Committee on Legislative
Management.

On motion by Representative Kiyabu,
seconded by Representative Machida
and carried, the joint report of
the Committees was adopted and
H.R. No. 78, HD 1, entitled: "HOUSE
RESOLUTION REQUESTING A REVIEW
OF THE TOURISM FUNCTIONAL
PLAN" was referred to the Committee
on Legislative Management.

Representative Machida, for the
Committee on Tourism, presented

a report (Stand. Com. Rep. No. 877) recommending that H.R. No. 71, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Machida, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 71, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON VISITOR DESTINATION AREA QUALITY", was referred to the Committee on Legislative Management.

Representative Machida, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 878) recommending that H.R. No. 72, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Machida, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 72, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON EFFORTS TO IMPROVE AND ENHANCE THE CHARACTER OF WAIKIKI", was referred to the Committee on Finance.

Representatives Machida and Takamine, for the Committees on Tourism and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 879) recommending that H.R. No. 76, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Machida, seconded by Representative Takamine and carried, the joint report of the Committees was adopted and H.R. No. 76, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE REVIEW OF THE RESPECTIVE VISITOR INDUSTRY TRAINING PROGRAMS OF THE HAWAII STATE OFFICE OF MANPOWER PLANNING AND THE HONOLULU CITY DEPARTMENT OF HUMAN RESOURCES", was referred to the Committee on Legislative Management.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 880) recommending that H.R. No. 246, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.R. No. 246,

HD 1, entitled: "HOUSE RESOLUTION REQUESTING REPAIR, MAINTENANCE, AND UPKEEP OF THE KAMEHAMEHA WATER TUNNELS", was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 881) recommending that H.R. No. 16, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Say, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.R. No. 16, HD 1, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF THE HAWAII FOUNDATION FOR HISTORY AND THE HUMANITIES AND THE STATE FOUNDATION ON CULTURE AND THE ARTS", was referred to the Committee on Legislative Management.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 882) recommending that H.R. No. 18, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Say, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.R. No. 18, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE PROGRESS ON THE HAWAII SPORTS HALL OF FAME", was referred to the Committee on Legislative Management.

Representative Say, for the majority of the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 883) recommending that H.R. No. 17, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Lunasco and carried, the report of the majority of the Committee was adopted and H.R. No. 17, HD 1, entitled: "HOUSE RESOLUTION REQUESTING DEVELOPMENT OF A PROGRAM FOR A HISTORIC HALL", was referred to the Committee on Finance.

Representative Say, for the majority of the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 884) recommending that H.C.R. No. 6, as amended in HD 1, be referred to the Committee

on Finance.

On motion by Representative Say, seconded by Representative Lunasco and carried, the report of the majority of the Committee was adopted and H.C.R. No. 6, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF A PROGRAM FOR A HISTORIC HALL", was referred to the Committee on Finance.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 885) recommending that H.R. No. 379, HD 1, as amended in HD 2, be adopted.

On motion by Representative Kunimura, seconded by Representative Suwa and carried, the report of the Committee was adopted and H.R. No. 379, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE STATE ENERGY OFFICE TO REPORT ON HAWAII'S FUEL ALLOCATION CONTINGENCY PLANS", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 886) recommending that H.R. No. 27, HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 27, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE CONSTITUTIONAL AMENDMENT CONCERNING HAWAIIAN EDUCATION IN ORDER TO DETERMINE NECESSARY LEGISLATION AND BUDGETARY REQUIREMENTS", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 887) recommending that H.C.R. No. 79, as amended in HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.C.R. No. 79, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE VARIOUS MEANS BY WHICH RENTAL DEPOSITS COULD BE DEPOSITED IN INTEREST BEARING INSURED ACCOUNTS WITH THE EARNINGS TO ACCRUE TO THE DEPOSITOR WITHOUT NECESSITATING ADDITIONAL BOOKKEEPING REQUIREMENTS FOR

LANDLORDS", was adopted.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 888) recommending that H.R. No. 35 be adopted.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.R. No. 35, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE UNIVERSITY OF HAWAII'S PROGRESS IN DEVELOPING AND IMPLEMENTING THE EXTENDED DEGREE PROGRAM", was adopted.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 889) recommending that H.R. No. 416, as amended in HD 1, be adopted.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 416, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE USE OF SCHOOL AUDITORIUMS FOR THE SCHOOLS", was adopted.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 890) recommending that H.R. No. 436, as amended in HD 1, be adopted.

Representative Lunasco moved that the report of the Committee be adopted and that H.R. No. 436, HD 1, be adopted, seconded by Representative Say.

At this time, Representative Lunasco rose to speak on H.R. No. 436, HD 1 and H.C.R. No. 89, HD 1:

"Mr. Speaker, this resolution states, 'requesting the Federal Government to fully fund programs for the handicapped.' Mr. Speaker, the legislature has taken a lot of criticism, in particular your Education Committee, in reference to Public Law 94-142. Mr. Speaker, in discussing the problem with Michael Murray, our Region 9 Director, he also stated that many states throughout the country are having difficulty funding Public Law 94-142 which was mandated by the Federal Government.

Unfortunately, Mr. Speaker, from what we can gather the Chairman of the Ways and Means, who is a Senator from Louisiana and comes

from a fairly rich state, cut all the funding in reference to Public Law 94-142. What Michael Murray also stated, Mr. Speaker, is that not only Hawaii is faced with this difficulty in funding this law. Unfortunately, most of the states throughout the country are having problems.

This resolution is asking Congress to fully fund Public Law 94-142, if not, the states (including Hawaii) would have a difficult time accomplishing the law. So, in reference to this resolution, I ask all the members to vote aye on these two resolutions. Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 436, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES PRESIDENT AND CONGRESS TO MORE FULLY FUND EDUCATIONAL PROGRAMS FOR THE HANDICAPPED", was adopted.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 891) recommending that H.C.R. No. 89, as amended in HD 1, be adopted.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.C.R. No. 89, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES PRESIDENT AND CONGRESS TO MORE FULLY FUND EDUCATIONAL PROGRAMS FOR THE HANDICAPPED", was adopted.

Representative Nakamura, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 892) recommending that H.R. No. 481, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Nakamura, seconded by Representative Honda and carried, the report of the Committee was adopted and H.R. No. 481, HD 1, entitled: "HOUSE RESOLUTION RELATING TO A PRISON FARM AT KULANI CORRECTIONAL FACILITY, HAWAII", was referred to the Committee on Legislative Management.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 893) recommending that H.C.R. No.

57, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.C.R. No. 57, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF LIGHTER-THAN-AIR VEHICLES", was referred to the Committee on Finance.

Representatives Dods and Suwa, for the majority of the Committees on Transportation and Finance, presented a joint report (Stand. Com. Rep. No. 894) recommending that H.R. No. 97 be referred to the Committee on Legislative Management.

On motion by Representative Dods, seconded by Representative Suwa and carried, the joint report of the majority of the Committee was adopted and H.R. No. 97, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE EFFECT OF THE STATE CONSTITUTIONAL AMENDMENTS ON THE STATE DEBT LIMIT ON FUNDING FOR MASS TRANSIT", was referred to the Committee on Legislative Management.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 895) recommending that H.R. No. 287 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 287, entitled: "HOUSE RESOLUTION URGING STATE ACQUISITION OF WATERSHED LAND AND RELATED WATER RIGHTS AND DISTRIBUTION SYSTEMS AT KILAUEA, KAUAI", was referred to the Committee on Finance.

Representatives Ushijima and Toguchi, for the Committees on Higher Education and Ocean and Marine Resources, presented a joint report (Stand. Com. Rep. No. 896) recommending that H.R. No. 448, as amended in HD 1, be referred jointly to the Committee on Water, Land Use, Development and Hawaiian Affairs and the Committee on Transportation.

On motion by Representative Ushijima, seconded by Representative Toguchi

and carried, the joint report of the Committee was adopted and H.R. No. 448, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT, DEPARTMENT OF TRANSPORTATION, AND UNIVERSITY OF HAWAII TO INCLUDE THE RELOCATION OF THE WAIKIKI AQUARIUM IN THE 1995 MASTER PLAN FOR HONOLULU HARBOR", was referred jointly to the Committee on Water, Land Use, Development and Hawaiian Affairs and the Committee on Transportation.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 897) recommending that H.C.R. No. 92 be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A MARINE LIFE CONSERVATION DISTRICT IN HAWAII COUNTY", was referred to the Committee on Finance.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 898) recommending that H.R. No. 451 be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.R. No. 451, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A MARINE LIFE CONSERVATION DISTRICT IN HAWAII COUNTY", was referred to the Committee on Finance.

Representatives Toguchi and Lunasco, for the Committees on Ocean and Marine Resources and Education, presented a joint report (Stand. Com. Rep. No. 899) recommending that H.R. No. 169, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Lunasco and carried, the joint report of the Committees was adopted and H.R. No. 169, HD 1, entitled: "HOUSE RESOLUTION REQUESTING

A REVIEW OF THE STATE'S MARINE EDUCATION PROGRAM", was referred to the Committee on Finance.

At 11:37 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:13 o'clock p.m.

Representatives Kiyabu and Larsen, for the Committees on State General Planning and Ecology and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 900) recommending that H.R. No. 155, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Kiyabu, seconded by Representative Larsen and carried, the joint report of the Committees was adopted and H.R. No. 155, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON THE FINDINGS, PROGRESS, AND PROBLEMS IN DETERMINING THE CARRYING CAPACITY FOR THE STATE", was referred to the Committee on Legislative Management.

Representatives Shito and Stanley, for the Committees on Housing and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 901) recommending that S.B. No. 1451, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Shito moved that the report of the Committee be adopted and that S.B. No. 1451, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Stanley.

At this time, Representative Sutton rose to speak against S.B. No. 1451, SD 1, HD 1:

"Mr. Speaker, the purpose of this bill is to remove the existing six year time limitation and, Mr. Speaker, the six year time limitation had a very salutary effect, it served as a sunset on employment. Now, their contracts are going to be on a two year period per individual term and, therefore, there is no need to remove this six year...this six year was a very well executed contractual ceiling. And, therefore, Mr. Speaker, I urge you to vote no with me on this bill. Thank you."

The motion was put by the Chair and carried, and the joint report of the Committees was adopted and S.B. No. 1451, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

The Chair directed the Clerk to note that S.B. No. 1451, SD 1, HD 1, had passed Second Reading at 12:15 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 638 to 640) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 638) congratulating Joseph G. Kealoha, Jr., for being awarded the Hawaiian Businessmen's Association's "O'O Award" as Outstanding Hawaiian Businessman for 1978 was jointly offered by Representatives Machida, Aki, Crozier, de Heer, Holt, Honda, Ige, Inaba, Kiyabu, Kobayashi, Lunasco, Marumoto, Morioka, Sakamoto, Say, Shito, Stanley, Suwa, Takitani and Toguchi.

On motion by Representative Machida, seconded by Representative Crozier and carried, H.R. No. 638 was adopted.

A resolution (H.R. No. 639) extending sympathy to the family of the late James K. Trask was jointly offered by Representatives Anderson, Medeiros, Evans, Sakamoto, Ige, de Heer, Dods, Hagino, Inaba, Kamalii, Kiyabu, Kobayashi, Larsen, Lee, Lunasco, Machida, Morioka, Nakamura, Narvaes, Say, Shito, Sutton, Takamine, Takitani and Toguchi.

On motion by Representative Anderson, seconded by Representative Medeiros and carried, H.R. No. 639 was adopted by a rising vote.

A resolution (H.R. No. 640) recognizing KCCN Radio for its successful radiothon and bowlathon in support of the Easter Seal Society was jointly offered by Representatives Hagino, Narvaes, Masutani, Say and Uwaine.

On motion by Representative Hagino, seconded by Representative Narvaes and carried, H.R. No. 640 was

adopted.

By unanimous consent, the following resolutions (H.R. Nos. 637 and 641) and concurrent resolution (H.C.R. No. 159) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 30, 1979:

A resolution (H.R. No. 637) relating to Ku-Kani-Loko, the historic birthstones at Hele-Mano, near Wahi-A-Wa was jointly offered by Representatives Lunasco, Aki, Anderson, Baker, Crozier, de Heer, Garcia, Hashimoto, Holt, Honda, Ige, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Machida, Marumoto, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

A resolution (H.R. No. 641) requesting certain waivers of limitations under the Comprehensive Employment and Training Act, the release of funds, and other legislative and administrative action was jointly offered by Representatives Takamine, de Heer, Dods, Hagino, Kiyabu, Kunimura, Machida, Masutani, Say and Stanley.

A concurrent resolution (H.C.R. No. 159) requesting certain waivers of limitations under the Comprehensive Employment and Training Act, the release of funds, and other legislative and administrative action was jointly offered by Representatives Takamine, de Heer, Dods, Hagino, Kiyabu, Kunimura, Machida, Masutani, Say and Stanley.

At this time, the Speaker directed the members to continue the agenda with Supplemental Calendar No. 1.

STANDING COMMITTEE REPORTS

Representatives Ushijima and Uwaine, for the majority of the Committees on Higher Education and Energy, presented a joint report (Stand. Com. Rep. No. 902) recommending that S.B. No. 108, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Uwaine and carried, S.B. No. 108, SD 2, entitled: "A BILL FOR AN ACT RELATING

TO THE HAWAII NATURAL ENERGY INSTITUTE", was recommitted jointly to the Committees on Higher Education and Energy, notwithstanding the joint report of the majority of the Committee.

At 12:18 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:20 o'clock p.m.

At this time, the Chair reminded

all members that there would be a morning and evening session tomorrow.

ADJOURNMENT

At 12:25 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned in honor of the UH Baseball Teams from Manoa and Hilo, until 10:00 o'clock a.m., tomorrow, March 30, 1979.

FORTY-SIXTH DAY

Friday, March 30, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 10:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Nathan Mamo of St. John Vianney Church, after which the Roll was called showing all members present with the exception of Representative Garcia, who was excused.

By unanimous consent, reading of the Journal of the Forty-Fifth Day was deferred.

GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 86) transmitting copies of the annual report for the calendar years 1977 and 1978 prepared by the Commission on the Year 2000, was read by the Clerk and was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 254 to 256) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 254) returning House Concurrent Resolution No. 158, which was adopted by the Senate on March 29, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 255) returning House Bill No. 147, HD 1, which passed Third Reading in the Senate on March 29, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 256) returning House Bill No. 187, HD 1, which passed Third Reading in the Senate on March 29, 1979, in an amended form, was placed on file.

By unanimous consent, H.B. No. 147, HD 1 and H.B. No. 187, HD 1, as amended by the Senate, were placed on the Clerk's desk and, in accordance with Article

III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 147, HD 1, SD 1 and H.B. No. 187, HD 1, SD 1, were made available to the members of the House at 10:00 o'clock a.m.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 32 to 39) were read by the Clerk and were disposed of as follows:

A communication from Elmer F. Cravalho, Mayor, County of Maui (Misc. Com. No. 32) acknowledging receipt of House Resolution No. 583, was placed on file.

A communication from Ms. C. Matano, Administrative Assistant to Senator Matsunaga (Misc. Com. No. 33) acknowledging receipt of House Resolution No. 224, was placed on file.

A communication from Ms. C. Matano, Administrative Assistant to Senator Matsunaga (Misc. Com. No. 34) acknowledging receipt of House Resolution No. 275, was placed on file.

A communication from Ms. C. Matano, Administrative Assistant to Senator Matsunaga (Misc. Com. No. 35) acknowledging receipt of House Resolution No. 233, was placed on file.

A communication from Ms. C. Matano, Administrative Assistant to Senator Matsunaga (Misc. Com. No. 36) acknowledging receipt of House Resolution No. 297, was placed on file.

A communication from Ms. C. Matano, Administrative Assistant to Senator Matsunaga (Misc. Com. No. 37) acknowledging receipt of House Resolution No. 204, was placed on file.

A communication from Ms. C. Matano, Administrative Assistant to Senator Matsunaga (Misc. Com. No. 38) acknowledging receipt of House Resolution No. 414, was placed on file.

A communication from Malcolm MacNaughton, Chairman of the Board

of Queen's Medical Center (Misc. Com. No. 39) acknowledging receipt of House Resolution No. 543, was placed on file.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 637 and 641) and concurrent resolution (H.C.R. No. 159) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
637	Jointly to Committee on Water, Land Use, Development and Hawaiian Affairs and Committee on Culture and the Arts, then to Committee on Legislative Management

641	Committee on Employment Opportunities and Labor Relations
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H.C.R. No.

159	Committee on Employment Opportunities and Labor Relations
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COMMITTEE REASSIGNMENTS

The following resolutions were re-referred as follows:

<u>H.R. Nos.</u>	<u>Re-Referred to:</u>
52	Jointly to Committee on Employment Opportunities and Labor Relations and Committee on Public Employment and Government Operations, then to Committee on Legislative Management

357	Committee on Health, then to Committee on Education, then to Committee on Finance
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H.C.R. No.

132	Committee on Health, then to Committee on Finance
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STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 903) informing the House that House Resolution Nos. 636 to 641, House Concurrent Resolution No. 159 and Standing Committee Report Nos. 875 to 902 have been

printed and distributed.

On motion by Representative Suwa, seconded by Representative Holt and carried, the report of the Committee was adopted.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 904) recommending that H.R. No. 427, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.R. No. 427, HD 1, entitled: "HOUSE RESOLUTION RELATING TO JOBS FOR THE ELDERLY", was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 905) recommending that H.R. No. 475 be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 475, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO EXPLORE THE FEASIBILITY OF CONVERTING WAIANAE HIGH SCHOOL TO THE STATE'S FIRST MARINE HIGH SCHOOL", was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 906) recommending that H.C.R. No. 103 be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO EXPLORE THE FEASIBILITY OF CONVERTING WAIANAE HIGH SCHOOL TO THE STATE'S FIRST MARINE HIGH SCHOOL", was referred to the Committee on Finance.

Representatives Kawakami and Dods, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Transportation, presented a joint report (Stand. Com. Rep. No. 907) recommending that H.R.

No. 328 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Masutani and carried, the joint report of the Committees was adopted and H.R. No. 328, entitled: "HOUSE RESOLUTION REQUESTING THE TRANSFER OF HANALEI PIER TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND ITS DEVELOPMENT AND USE FOR RECREATIONAL PURPOSES", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 908) recommending that H.R. No. 87, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Masutani, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 87, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE APPROPRIATE STATE AGENCIES TO ASSESS THE ADEQUACY OF EXISTING FUNDING SOURCES FOR GENERAL AVIATION OPERATION", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 909) recommending that H.R. No. 86, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Masutani, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 86, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE HONOLULU INTERNATIONAL AIRPORT MASTER LEASE AND ITS AMENDED EXHIBIT I", was referred to the Committee on Legislative Management.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 910) recommending that H.R. No. 192 be referred to the Committee on Finance.

On motion by Representative Masutani, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 192, entitled: "HOUSE

RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF MANDATING SAFETY SEATING FOR CHILDREN IN MOVING VEHICLES", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 911) recommending that H.R. No. 88, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Masutani, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 88, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN ASSESSMENT OF THE IMPACT OF THE FEDERAL AIRLINE DEREGULATION ACT OF 1978 ON THE ADEQUACY OF AIRPORT FACILITIES AND THE AIRPORT SPECIAL FUND", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 912) recommending that H.R. No. 459, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Masutani, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 459, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE AIR CARGO FACILITIES ON THE NEIGHBOR ISLANDS", was referred to the Committee on Finance.

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

The House of Representatives reconvened at 10:17 o'clock a.m.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 913) recommending that H.R. No. 357, as amended in HD 1, be referred to the Committee on Education.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 357, HD 1, entitled: "HOUSE RESOLUTION REQUESTING ALL FOOD ESTABLISHMENTS AND FACILITIES WHERE FOOD IS SERVED TO POST INSTRUCTIONS ON THE HEIMLICH MANEUVER", was referred to the Committee on Education.

Representatives Segawa and Blair, for the Committees on Health and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 914) recommending that H.R. No. 505 be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative K. Yamada and carried, the joint report of the Committees was adopted and H.R. No. 505, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF MANDATING THE INCLUSION OF CATASTROPHIC ILLNESS COVERAGE IN PREPAID HEALTH CARE PLANS AND SIMILAR INSURANCE PLANS", was referred to the Committee on Finance.

Representatives Segawa and D. Yamada, for the Committees on Health and Judiciary, presented a joint report (Stand. Com. Rep. No. 915) recommending that H.R. No. 486 be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Honda and carried, the joint report of the Committees was adopted and H.R. No. 486, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO ADOPT RULES RELATING TO THE TERMINATION OR REVOCATION OF CONDITIONAL DISCHARGES AND TEMPORARY LEAVES OF ABSENCE OF PATIENTS COMMITTED TO THE WAIMANO TRAINING SCHOOL AND HOSPITAL, INCLUDING ADMINISTRATIVE APPEAL PROCEDURES FOR SUCH TERMINATIONS OR REVOCATIONS", was referred to the Committee on Finance.

Representatives Segawa and D. Yamada, for the Committees on Health and Judiciary, presented a joint report (Stand. Com. Rep. No. 916) recommending that H.C.R. No. 108 be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Honda and carried, the joint report of the Committees was adopted and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO ADOPT RULES RELATING TO THE TERMINATION OR REVOCATION OF CONDITIONAL DISCHARGES AND TEMPORARY LEAVES OF ABSENCE OF PATIENTS COMMITTED TO THE WAIMANO TRAINING SCHOOL AND

HOSPITAL, INCLUDING ADMINISTRATIVE APPEAL PROCEDURES FOR SUCH TERMINATIONS OR REVOCATIONS", was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 917) recommending that H.C.R. No. 134 be referred to the Committee on Legislative Management.

On motion by Representative Suwa, seconded by Representative Holt and carried, the report of the Committee was adopted and H.C.R. No. 134, entitled: "HOUSE CONCURRENT RESOLUTION PROVIDING FOR AN INTERIM COMMITTEE TO STUDY STATE MANDATED PROGRAMS AND SERVICES", was referred to the Committee on Legislative Management.

Representative Nakamura, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 918) recommending that H.R. No. 477, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative K. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.R. No. 477, HD 1, entitled: "HOUSE RESOLUTION ESTABLISHING A FISHING PROGRAM IN THE HAWAII STATE PRISON", was referred to the Committee on Legislative Management.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 919) recommending that H.R. No. 44, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.R. No. 44, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE PROBLEMS AND NEEDS OF VOCATIONAL REHABILITATION WORKSHOPS", was referred to the Committee on Finance.

At 10:20 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:21 o'clock a.m.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 920) pursuant to H.R. No. 35, adopted by the Regular Session of 1979, reviewing the University of Hawaii's progress in developing and implementing the extended degree program.

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 653 to 658) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 653) honoring the Variety Club dissertation on Roast Aku was jointly offered by Representatives Marumoto, Larsen, Anderson, Crozier, Dods, Evans, Hagino, Ige, Kobayashi, Lacy, Lee, Masutani, Stanley, Sutton and Takamine.

On motion by Representative Marumoto, seconded by Representative Larsen and carried, H.R. No. 653 was adopted.

A resolution (H.R. No. 654) congratulating Calvin Shishido for attaining the rank of Eagle Scout of the Boy Scouts of America was jointly offered by Representatives Kiyabu, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kamalii, Kawakami, Kihano, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Kiyabu, seconded by Representative Kobayashi and carried, H.R. No. 654 was adopted.

A resolution (H.R. No. 655) congratulating the Seabury Hall soccer team, the Starz, for winning the 1978-1979 Maui Interscholastic League Soccer Championship and for their hard work and dynamic team effort was jointly offered by Representatives Crozier, Honda, Machida, Aki, Baker, Blair, de Heer, Dods, Fukunaga, Hagino, Hashimoto, Holt, Ige, Inaba,

Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Machida, Marumoto, Morioka, Nakamura, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Crozier, seconded by Representative Honda and carried, H.R. No. 655 was adopted.

A resolution (H.R. No. 656) congratulating the participants of the fifty-seventh annual Kamehameha Schools song contest was jointly offered by Representatives Kamalii, Holt, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Honda, Ige, Ikeda, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Kamalii, seconded by Representative Holt and carried, H.R. No. 656 was adopted.

A resolution (H.R. No. 657) congratulating Mr. and Mrs. Alfred P. Farias upon their golden wedding anniversary was jointly offered by Representatives K. Yamada, Anderson, Baker, Blair, Crozier, de Heer, Dods, Hagino, Holt, Honda, Ige, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Nakamura, Narvaes, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Ushijima, Uwaine and D. Yamada.

On motion by Representative K. Yamada, seconded by Representative Segawa and carried, H.R. No. 657 was adopted.

A resolution (H.R. No. 658) congratulating the Reverend Hiro Higuchi and the Waipahu United Church of Christ for its dedication of their new church on April 1, 1979, was jointly offered by Representatives Kihano, Blair, Dods, Holt, Ikeda, Kawakami, Kobayashi, Kunimura, Machida, Say, Segawa, Shito, Sutton, Takamine, Takitani, Ushijima and Uwaine.

On motion by Representative Nakamura, seconded by Representative K. Yamada and carried, H.R. No. 658 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 642 to 652) and concurrent resolutions (H.C.R. Nos. 160 and 161) were referred to the Committee on Legislative Management and further action was deferred until Monday, April 2, 1979:

A resolution (H.R. No. 642) relating to mental health services for children and youth was jointly offered by Representatives Aki, Anderson, Baker, Blair, Crozier, Dods, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kiyabu, Larsen, Lee, Lunasco, Machida, Morioka, Nakamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Uechi and D. Yamada.

A resolution (H.R. No. 643) relating to restoration of railroads on the Island of Oahu was jointly offered by Representatives Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Nakamura, Narvaes, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

A resolution (H.R. No. 644) requesting the Department of Education, State of Hawaii, to review staffing for large libraries in public schools was jointly offered by Representatives Aki, Anderson, Baker, Blair, Crozier, Dods, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kiyabu, Larsen, Lee, Lunasco, Machida, Morioka, Nakamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Uechi, Ushijima and D. Yamada.

A resolution (H.R. No. 645) relating to public services for elderly persons in Hawaii was jointly offered by Representatives Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Nakamura, Narvaes, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and

K. Yamada.

A resolution (H.R. No. 646) requesting an interim study by the House Committee on Energy on Hawaii's fuel allocation contingency plans was jointly offered by Representatives Uwaine and Hashimoto.

A resolution (H.R. No. 647) requesting the Legislative Auditor to conduct follow-up reviews on legislative audits as a provision of audit contracts to see if deficiencies have been corrected was jointly offered by Representatives Kawakami, Aki, Baker, Blair, Fukunaga, Hashimoto, Holt, Honda, Inaba, Kiyabu, Larsen, Morioka, Shito, Takitani and Uwaine.

A resolution (H.R. No. 648) requesting a review of Title XX programs was offered by Representative Lee.

A resolution (H.R. No. 649) requesting a review of the Hawaii Medical Service Association as the fiscal administrator of the State of Hawaii's medicaid program was offered by Representative Lee.

A resolution (H.R. No. 650) requesting review of the components of medicaid program costs was offered by Representative Lee.

A resolution (H.R. No. 651) requesting a review of an interisland tunnel system was offered by Representative Lee.

A resolution (H.R. No. 652) commending the free and accepted Masons for their leadership and dedication toward the advancement of the public schools in our nation was jointly offered by Representatives Crozier, Takitani, Honda, Machida, Aki, Baker, Blair, de Heer, Dods, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kihano, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Marumoto, Masutani, Morioka, Nakamura, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Takamine, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

A concurrent resolution (H.C.R. No. 160) requesting the United States Congress adopt a civil defense program to put it at parity with the Soviet Union's program was jointly offered by Representatives Kamalii, Aki, Anderson, Blair, Crozier, de Heer, Dods, Evans, Hagino, Ige, Inaba, Kawakami, Kiyabu, Larsen, Lee, Lunasco, Marumoto, Masutani, Medeiros,

Morioka, Narvaes, Sakamoto, Say, Segawa, Shito, Sutton, Takamine, Takitani, Toguchi and K. Yamada.

A concurrent resolution (H.C.R. No. 161) requesting a study on shoreline safety was jointly offered by Representatives Crozier, Honda, Takitani, Machida, Aki, Baker, Blair, de Heer, Dods, Fukunaga, Hagino, Hashimoto, Holt, Ige, Inaba, Kihano, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Marumoto, Masutani, Morioka, Nakamura, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Takamine, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

SUSPENSION OF RULES

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

At 10:25 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:26 o'clock a.m.

THIRD READINGS

By unanimous consent, action on S.B. Nos. 621, SD 1; 625, SD 1; 626, SD 1 and 627, SD 1 were deferred until later on the calendar.

At this time, Representative Ige made a late introduction to the members of the House. He introduced students from Castle High School and King Intermediate School who were visiting the legislature to observe the legislative process.

The Chair then directed the members to continue the agenda with Supplement No. 1.

STANDING COMMITTEE REPORT

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 921) recommending that H.R. No. 635 be adopted.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee

was adopted and H.R. No. 635, entitled: "HOUSE RESOLUTION RECOGNIZING THE MONTH OF MARCH AS RED CROSS MONTH IN HAWAII AND THE OUTSTANDING SERVICE OF ALL RED CROSS VOLUNTEERS", was adopted.

MISCELLANEOUS BUSINESS

By unanimous consent, H.C.R. No. 9, as amended by the Senate, was taken from the Clerk's desk.

Representative Uwaine moved that the House agree to the amendments proposed by the Senate to H.C.R. No. 9, and that H.C.R. No. 9, SD 1, having been read throughout, be finally adopted, seconded by Representative Hashimoto.

Representative Uwaine then explained:

"Mr. Speaker, the amendment that was made by the Senate was just a technical and grammatic correction, whereas the House inadvertently omitted 'the Senate concurring'. Thank you."

The motion was put by the Chair and carried, and H.C.R. No. 9, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TEN MILLION BARREL CAPACITY STRATEGIC PETROLEUM RESERVE FOR HAWAII", was finally adopted.

At 10:30 o'clock a.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives stood in recess until 8:45 o'clock p.m., tonight.

NIGHT SESSION

The House of Representatives reconvened at 9:00 o'clock p.m.

The Chair directed the members to continue the agenda with Supplement No. 2.

STANDING COMMITTEE REPORTS

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 922) recommending that S.B. No. 1373, SD1, as amended in HD 1, pass Third Reading.

Representative Suwa, for the

Committee on Finance, presented a report (Stand. Com. Rep. No. 923) recommending that S.B. No. 1389, SD 1, as amended in HD 1, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 924) recommending that S.B. No. 1409, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 925) recommending that S.B. No. 1611, SD 2, as amended in HD 1, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 926) recommending that S.B. No. 1483, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 927) recommending that S.B. No. 77, SD 3, HD 1, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 928) recommending that S.B. No. 1540, SD 1, HD 1, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 929) recommending that S.B. No. 1737, SD 2, HD 1, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 930) recommending that S.B. No. 1771, SD 2, HD 1, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 931) recommending that S.B. No. 615, SD 1, HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. Nos. 922 on S.B. No. 1373, SD 1, HD 1; 923 on S.B. No. 1389, SD 1, HD 1; 924 on S.B. No. 1409, SD 1, HD 2; 925 on S.B. No. 1611, SD 2, HD 1; 926 on S.B. No. 1483, SD 1, HD 2; 927 on S.B. No. 77, SD 3, HD 1; 928 on S.B. No. 1540, SD 1, HD 1; 929 on S.B. No. 1737, SD 2, HD 1; 930 on S.B. No. 1771, SD 2, HD 1; and

931 on S.B. No. 615, SD 1, HD 1 were deferred until Monday, April 2, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of the above mentioned Bills were made available to the members of the House at 9:00 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 932) recommending that S.B. No. 87, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Morioka, seconded by Representative Holt and carried, the report of the Committee was adopted and S.B. No. 87, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 933) recommending that S.B. No. 1091, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Morioka moved that the report of the Committee be adopted and that S.B. No. 1091, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Holt.

At this time, Representative Sutton rose to speak against S.B. No. 1091, SD 1, HD 1:

"Mr. Speaker, in a prior year we had a \$6 million allocation to take care of what we then called mass transit. We now call it bus rail and whether you call it mass transit or bus rail, when we have an urban corridor that takes you an hour and a half to go ten miles, we've got something wrong.

Now, whether or not the City and County of Honolulu was improper in the amount of time they have taken, whether they had poor executive administration is beside the point. The people of this State are suffering from bad transportation. We have, as I said originally, I am speaking for the bill with these reservations, we have....."

The Chair reminded Representative Sutton that S.B. No. 1091, SD 1, HD 1, was up for Second Reading to be placed on the calendar for Third Reading on Monday and that arguments could be heard on Monday if he preferred.

Representative Sutton then stated he already had enough in the record.

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1091, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 87, SD 1, HD 1 and 1091, SD 1, HD 1 were made available to the members of the House at 9:00 o'clock p.m.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 934) recommending that S.B. No. 1438, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 1438, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 935) recommending that S.B. No. 1650, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 1650, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATION AND MERGER OF CORPORATIONS", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 936) recommending that S.B. No. 1634, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 1634, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 937) recommending that S.B. No. 1752, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Blair moved that the report of the Committee be adopted and that S.B. No. 1752, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Shito.

Representative Sutton then rose to state a potential conflict of interest. He had taken and passed the CPA exam but is not a practicing CPA.

The Chair ruled no conflict.

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1752, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 938) recommending that S.B. No. 1439, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 1439, SD 1, HD 1, entitled: "A BILL FOR

AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 939) recommending that S.B. No. 697, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 697, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 940) recommending that S.B. No. 695, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 695, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELEVATOR MECHANICS LICENSING BOARD", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 941) recommending that S.B. No. 692, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 692, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MASSAGE", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection

and Commerce, presented a report (Stand. Com. Rep. No. 942) recommending that S.B. No. 691, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 691, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE LICENSING BOARD", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 943) recommending that S.B. No. 1315, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 1315, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 1438, SD 1, HD 1; 1650, SD 1, HD 1; 1634, SD 2, HD 1; 1752, SD 1, HD 1; 1439, SD 1, HD 1; 697, HD 1; 695, SD 1, HD 1; 692, HD 1; 691, HD 1; and 1315, HD 1, were made available to the members of the House at 9:00 o'clock p.m.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 944) recommending that S.B. No. 1539, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1539, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented

a report (Stand. Com. Rep. No. 945) recommending that S.B. No. 1238, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1238, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 946) recommending that S.B. No. 1680, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1680, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A CRIME COMMISSION", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 947) recommending that S.B. No. 50, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 50, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT JUDGES (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 948) recommending that S.B. No. 670, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report

of the Committee was adopted and S.B. No. 670, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 949) recommending that S.B. No. 42, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 42, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 950) recommending that S.B. No. 1727, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1727, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 951) recommending that S.B. No. 15, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 15, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 952) recommending that S.B. No. 919, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 919, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 953) recommending that S.B. No. 393, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 393, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 954) recommending that S.B. No. 9, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 9, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENT OF ARTICLE II, SECTION 4)", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 1539, SD 1, HD 1; 1238, SD 1, HD 1; 1680, SD 1, HD 1; 50, SD 1, HD 1; 670, HD 1; 42, SD 1, HD 1; 1727, SD 1, HD 1; 15, SD 1, HD 1; 919, SD 1, HD 1; 393, SD 1, HD 1; and 9, SD 1, HD 1, were

made available to the members of the House at 9:00 o'clock p.m.

Representatives Lee and D. Yamada for the Committees on Public Assistance and Human Services and Judiciary, presented a joint report (Stand. Com. Rep. No. 955) recommending that S.B. No. 666, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative D. Yamada and carried, the joint report of the Committees was adopted and S.B. No. 666, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF OVERPAYMENTS OF PUBLIC ASSISTANCE", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 956) recommending that S.B. No. 1760 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and S.B. No. 1760 entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 957) recommending that S.B. No. 683 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and S.B. No. 683, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE DEPARTMENT OF TRANSPORTATION", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 958) recommending that S.B. No. 870, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 870, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTER-ISLAND TRANSPORTATION SYSTEM", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 959) recommending that S.B. No. 1753, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 1753, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representatives Uechi and Suwa, for the Committees on Agriculture and Finance, presented a joint report (Stand. Com. Rep. No. 960) recommending that S.B. No. 1657, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Uechi, seconded by Representative Morioka and carried, the joint report of the Committees was adopted and S.B. No. 1657, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 666, SD 2, HD 1; 870, SD 2, HD 1; 1753, HD 1; and 1657, SD 2, HD 1 were made available to the members of the House at 9:00 o'clock p.m.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 961) recommending that S.B. No. 168, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative

K. Yamada and carried, the report of the Committee was adopted and S.B. No. 168, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY PROCEEDINGS", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 962) recommending that S.B. No. 45, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 45, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 963) recommending that S.B. No. 664, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 664, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSIGNMENT OF WAGES FOR CHILD SUPPORT", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 964) recommending that S.B. No. 1682, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1682, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE OF PROPERTY USED IN ILLEGAL GAMBLING", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 965) recommending that S.B. No. 1282, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1282, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 966) recommending that S.B. No. 1043, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1043, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDING OF INTEREST IN CIVIL CASES", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 967) recommending that S.B. No. 1703, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1703, SD 1, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 168, SD 1, HD 1; 45, HD 1; 664, SD 1, HD 1; 1682, SD 1, HD 1; 1282, HD 1; 1043, SD 1, HD 1;

and 1703, SD 1, HD 1 were made available to the members of the House at 9:00 o'clock p.m.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 968) recommending that S.B. No. 1492, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 1492, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 969) recommending that S.B. No. 1516, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Blair moved that the report of the Committee be adopted and that S.B. No. 1516, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Shito.

At this time, Representative Sutton rose to speak against S.B. No. 1516, SD 1, HD 1:

"Mr. Speaker, we have a basic concept embodied in the law of this nation and this State that competition is a good thing. The late Senator Sherman passed the Sherman Act, the late Senator Clayton put the Clayton Act, Robertson and Patton put their Act. We have here, an anti-trust law, it's on our books, and the whole basic concept is that competition is good.

If you go to England, Mr. Speaker, you can stay in any number of places, in private homes and whatnot. This whole concept of time sharing means that we can have visitors come here without going into formal hotels, it means competition for the hotel industry which is now running at very high percentages of occupancy. The moment we come in and regulate time sharing, we

are saying in so many words, let's give a monopoly to the hotel industry. And I would say to you, Mr. Speaker, we're headed in the wrong direction and so I shall vote no and ask you to vote no and your colleagues, and those colleagues on your side of the aisle that are very well-versed in the hotel industry."

Representative Larsen rose to speak in favor of S.B. No. 1516, SD 1, HD 1:

"I think that the idea that was expressed previously, that we start regulating something and it's bad for the economy, is absolutely misplaced in this case. We had long testimony on this subject and during that testimony we had numerous people come to us and ask for regulation. Now, this industry is a new one and is growing faster than a mushroom and it calls out and cries for regulation. By the time this session is over, I am convinced that there will be some dramatic regulation on the time sharing industry and I look forward to participating in that. Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1516, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 970) recommending that S.B. No. 86, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 86, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 1492, SD 2, HD 1; 1516, SD 1, HD 1; and 86, SD 1, HD 1 were made available to the members of the House at 9:00 o'clock p.m.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 971) recommending that S.B. No. 46, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 971 on S.B. No. 46, SD 2, HD 2, was deferred until Monday, April 2, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 46, SD 2, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 972) recommending that S.B. No. 1303, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1303, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION OF CHILDREN", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 973) recommending that S.B. No. 1284, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1284, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 974) recommending that S.B. No. 1415, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative D. Yamada moved that the report of the Committee

be adopted and that S.B. No. 1415, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative K. Yamada.

At this time, Representative Sutton rose to speak against S.B. No. 1415, HD 1:

"Mr. Speaker, a basic concept that we have in our Constitution is that anybody can make bail. We have here, one of the famous cases in the Supreme Court where excessive bail is a denial of the type of bail that the Constitution has in its Bill of Rights. Now, all of a sudden, we put an Act relating to bail and we say the purpose of this, that if the judge believes there's danger to the individual, he shall deny bail. And we have a very strange situation where one person's opinion will mean the denial of bail. Denial of bail is what caused the Magna Carta, denial of bail is what caused the French Revolution, denial of bail is what caused our own Bill of Rights to be embedded so firmly. It is an essential part of due process, an essential part of the whole concept of democracy. It's the first thing that Adolf Hitler suspended, it's the first thing that was suspended here when we had martial law here in Hawaii, there was no bail, and it is very important that when we put legislation of this nature on the books, that we study it more carefully, and therefore, I would urge, Mr. Speaker, that you vote against this and you would ask people on your side of the aisle and my side of the aisle to so vote."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1415, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 975) recommending that S.B. No. 11, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative D. Yamada moved that the report of the Committee be adopted and that S.B. No. 11, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Represen-

tative K. Yamada.

At this time, Representative Sutton rose to speak against S.B. No. 11, HD 1:

"Mr. Speaker, here was a golden opportunity to make Hawaii conform to the basic concept that between a primary and a general election there should be a sufficient time so that the voters can look over the candidates. What do we do? We lose that golden opportunity. We say no, it's going to be the third Saturday of September in every even-numbered year. We do not have the spacing.

The State of California has its primary in June. The voters have three and a half months to look over the candidates. Look at the short period between the third Saturday of September and November 11. Think of the enormous advantage it gives us, the incumbents, because the new fellow doesn't have a chance to get known. And we, ourselves, should be the last ones to put something on the books of this nature when we had an opportunity, and I think an implication from the Constitutional Convention, that we should have a primary spread at least a couple months apart from the general election.

So I would urge you, Mr. Speaker, and the gentlemen on your side of the aisle, and ladies, and those on our side of the aisle, to please vote no."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 11, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 8)", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 976) recommending that S.B. No. 1230, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1230, HD 1, entitled: "A BILL FOR AN ACT RELATING

TO SENTENCING", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 977) recommending that S.B. No. 1049, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1049, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 978) recommending that S.B. No. 182, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 182, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 979) recommending that S.B. No. 1591, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1591, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY COMMISSION AND ENVIRONMENTAL IMPACT STATEMENTS", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 980) recommending that S.B. No.

181, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 181, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROSECUTION", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 981) recommending that S.B. No. 694, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 694, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY BOARD", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 982) recommending that S.B. No. 581, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 581, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Toguchi, for the majority of the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 983) recommending that S.B. No. 1430, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, the report of the majority of the Committee was adopted and

S.B. No. 1430, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 1303, SD 1, HD 1; 1284, SD 1, HD 1; 1415, HD 1; 11, HD 1; 1230, HD 1; 1049, SD 1, HD 1; 182, SD 1, HD 1; 1591, HD 2; 181, SD 2, HD 1; 694, HD 1; 581, SD 1, HD 1; and 1430, SD 1, HD 1, were made available to the members of the House at 9:00 o'clock p.m.

The Chair then directed the members to continue the agenda on Page 4 of the morning calendar.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

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

S.B. No. 621, SD 1

On motion by Representative Takamine, seconded by Representative de Heer, S.B. No. 621, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 625, SD 1

Representative Toguchi moved that S.B. No. 625, SD 1 pass Third Reading, seconded by Representative Sakamoto.

At this time, Representative Sutton rose to speak against S.B. No. 625, SD 1:

"Mr. Speaker, we are all of a sudden saying to the people in my area and the area where we have large Hawaiian groups, who have lived for years by, a part of their livelihood, of getting things from the sea, whether it be seaweed or fish or what have you, and all of a sudden, what are we doing? We are putting criminal sanctions against this.

In our definition of what constitutes commercial fishing, we say that

commercial fishing means the fishing for or taking of fish for profit or gain, or as a means of livelihood, that would mean just sustaining your family. One quarter of my area is a Hawaiian Homestead. Every weekend they go down and get seaweed. They take it home and eat it, it's part of their livelihood. And so, they can be classified here.

And what are the criminal sanctions. All of a sudden we're engrafting on Section 189-1 a whole new concept that they've committed a crime and what are the criminal sanctions? The sanctions are a very severe penalty by way of a fine and jail all for doing what they've done for many years and they did before any of us came over here. And what are we doing?

I would appeal to the people from Waianae where they have the same situation. They have a group of Hawaiian people that make a livelihood of getting seaweed, getting plants and shellfish, but this idea of adding seaweed is atrocious, Mr. Speaker, utterly atrocious. And there probably is no intent to commit a crime here, no intent. They fall into it. And how are they going to get notices? They don't read law books. Believe me, up in Papakolea there are no law books. And they're not going to get copies of this. And it is very essential, Mr. Speaker, that when we pass something with criminal sanctions that we consider the past mores of this group and to add seaweed, Mr. Speaker, is, in my mind, an atrocious bit of legislation. Therefore, I would urge you to vote against this and urge my colleagues from Waianae to vote against this. Thank you."

Representative Toguchi rose to speak in favor of S.B. No. 625, SD 1:

"I would just like to correct some of the statements made by the previous speaker. The bill does not address what he described as people going out and picking limu for home consumption. The bill is mainly to, it addresses, people who pick limu, or let's say seaweed, for sale and for commercial purposes. So that's one point.

The second point is, the reason for including seaweed for licensing purposes, is for the Department to get a better record as to the amount of seaweed that is being put on the market and this is one way that

the Department can find out what's happening out in the bays and that kind of information can be used for conservation purposes. So I would like to again say that it's licensing for commercial purposes only and therefore, I urge all of you to support S.B. No. 625, SD 1. Thank you."

Representative Lunasco rose to speak in favor of S.B. No. 625, SD 1:

"Mr. Speaker, my colleague from Nuuanu, he's grown up in Hawaii and has gone diving or looking for seaweed, will note today, Mr. Speaker, as an example, limu koho is almost impossible to find it here locally, on Oahu. In fact, most of our limu koho comes from Kauai. What this bill does, Mr. Speaker, is regulate seaweed that is to be sold commercially. Unfortunately, Mr. Speaker, getting back to the Hawaiians, during the olden days, they were very conservation minded. They never took more than what they needed. Unfortunately, Mr. Speaker, because of the products that are coming out from our sea and the demand by the general population, people are depleting our sea resources and unless we regulate most of our sea resources, Mr. Speaker, our kids in the future will have none. So, I ask all my colleagues to vote in favor of this bill."

Representative Sutton rose in rebuttal:

"Mr. Speaker, addressing my remarks to the first gentleman who spoke, I would address his attention to page 422 HRS, Section 189-1, Definition: "when used in this part, commercial fishing means the fishing for or taking of fish for profit or gain and then the alternative, not the conjunctive, or as a means of livelihood." The courts have determined that a means of livelihood is where you use it to sustain your own life, your family's life. And here we're putting criminal sanctions. Now, Mr. Speaker, the Supreme Court of the United States has said that anything that has criminal sanctions must not be vague, and it will be struck down for vagueness and illegality. And therefore, Mr. Speaker, I would caution putting on the books something like seaweed when we have a definition already in the statutes and we are grafting and engrafting an amendment and not

looking at the danger of innocent persons who might pick that seaweed up and then that night maybe there was a luau and he got some remuneration because he brought a little seaweed. Many of these people have large luaus, they've picked that seaweed up and there is a charge to tourists, they want to go to these native luaus, and so, all of a sudden, he has become commercial, without recognizing it.

Now, Mr. Speaker, as far as the second speaker, the learned gentleman from Waialua, he says that we are having a grave shortage of a certain type of seaweed. That's fine. Let's not use a shotgun approach. Bring in the specific type of seaweed that he's talking about, but not make a general thing of all and every bit of seaweed.

Now, Mr. Speaker, as you know, you and I need iron in our system, and there is nothing better to get iron in your system than seaweed, nothing. This is something that dieticians are now finding is one of the finest elements there is. And so, Mr. Speaker, I would ask you to please vote no against this. I would ask my colleagues from Waianae to vote no and those that come from areas where the Hawaiian people live, one quarter of my area, where's Mr. Baker, Mr. Baker should.....And so I would ask, Mr. Speaker, that we not put something on the books which will deprive our citizenry in those areas that we represent where we have the unique, of the native Hawaiians still living on home-stead land. I would ask you please, sir, to have this committed back to committee to study it and vote no. Thank you."

Representative Peters then rose to speak in favor of S.B. No. 625, SD 1:

"Mr. Speaker, the elderly statesman from Nuuanu, I don't know how he arranged it, but he does represent Papakolea as well, has eluded to the fact that because I'm from Waianae, perhaps I should respond. I am sure that I am equally capable as the elderly statesman from Nuuanu in reading this measure, hopefully I am reading it correctly. This measure simply addresses itself to commercial use of seaweed by way of expanding the definition of fish. Anyone who uses seaweed for profit or gain as a means of

livelihood.

Basically anybody who is in commercial type of enterprises should be subject to the provisions as stated out in this measure. Anyone who uses it for home consumption, however, is not covered. As a consequence, I am sure that most Hawaiians, including myself as a Hawaiian, would want it that way. Conservation definitely has been a way of life for all of us as Hawaiians. We don't like to see private enterprise, commercial type of fishing and such, get to a point where we eventually have nothing for the future generations of this State. So, I urge all members to vote in favor of this measure. Aloha."

The motion to pass S.B. No. 625, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL FISHING", on Third Reading was put by the Chair and carried by a vote of 49 ayes to 1 no, with Representative Sutton voting no and Representative Garcia being excused.

S.B. No. 626, SD 1

On motion by Representative Toguchi, seconded by Representative Sakamoto, S.B. No. 626, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGNATION OF AGENTS TO SELL FRESHWATER GAME FISH LICENSES", passed Third Reading by a vote of 49 ayes to 1 no, with Representative Sutton voting no and Representative Garica being excused.

S.B. No. 627, SD 1

On motion by Representative Toguchi, seconded by Representative Sakamoto, S.B. No. 627, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM SIZES OF FISH", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

The Chair directed the Clerk to note that S.B. No. 621, SD 1, passed Third Reading at 9:20 o'clock p.m.; S.B. Nos. 625, SD1; 626, SD1 and 627, SD1 at 9:32 o'clock p.m.

At 9:33 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

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

At this time, the Chair directed the members to continue the agenda with Supplemental Calendar Nos. 3 and 4.

STANDING COMMITTEE REPORTS

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 984) recommending that S.B. No. 599, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 599, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 985) recommending that S.B. No. 784, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 784, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COSMETOLOGY", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

Representatives Lunasco and Say, for the Committees on Education and Culture and the Arts, presented a joint report (Stand. Com. Rep. No. 986) recommending that S.B. No. 1059, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lunasco, seconded by Representative Say and carried, the joint report of the Committees was adopted and S.B. No. 1059, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAU HANA YEARS", passed Second Reading and was placed on the calendar for Third Reading, Monday, April 2, 1979.

The Chair directed the Clerk to

note that printed copies of S.B. Nos. 599, SD 1, HD 1 and 784, SD 1, HD 1 were made available to the members of the House at 9:30 o'clock p.m., and printed copies of S.B. No. 1059, SD 1, HD 1, were made available to the members of the House at 10:10 o'clock p.m.

COMMITTEE REASSIGNMENT

The following resolution was re-referred as follows:

<u>H.R. No.</u>	<u>Re-Referred to:</u>
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357	Committee on Finance
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ADJOURNMENT

At 10:15 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned until 1:00 o'clock p.m., Monday, April 2, 1979.

FORTY-SEVENTH DAY

Monday, April 2, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 1:00 o'clock p.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by the Reverend James Beebe of the Kailua United Methodist Church, after which the Roll was called showing all members present with the exception of Representatives Garcia, Stanley, Takamine, Ushijima and Wakatsuki, who were excused.

By unanimous consent, reading and approval of the Journal of the Forty-Sixth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 87 to 89) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 87) transmitting copies of a technical background report on the Aloha Tower Plaza and the Hawaii World Trade Center, which supplements the September 1978 summary report, and outlines the studies leading to the recommendations contained in the summary, prepared by the State Department of Planning and Economic Development's consultants, Charles R. Sutton and Associates, Inc., and Hastings, Martin, Hallstrom and Chew, Ltd., was placed on file.

A message from the Governor (Gov. Msg. No. 88) transmitting copies of the report, "Economic Viability of Independent Sugar Cane Farms on the Hilo Coast", in response to House Concurrent Resolution No. 99 (1978), prepared by the University of Hawaii College of Tropical Agriculture, was placed on file.

A message from the Governor (Gov. Msg. No. 89) transmitting copies of the 6th Annual Report prepared by the State Commission on the Status of Women, in compliance with Act 190, Hawaii Revised Statutes, was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 257 to 262) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 257) returning House Bill No. 612, HD 1, which passed Third Reading in the Senate on March 30, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 258) returning House Bill No. 614, HD 1, which passed Third Reading in the Senate on March 30, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 259) returning House Bill No. 1355, HD 1, which passed Third Reading in the Senate on March 30, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 260) returning House Bill No. 1631, HD 2, which passed Third Reading in the Senate on March 30, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 261) returning House Bill No. 1664, HD 2, which passed Third Reading in the Senate on March 30, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 262) returning House Bill No. 1677, which passed Third Reading in the Senate on March 30, 1979, in an amended form, was placed on file.

By unanimous consent, H.B. Nos. 1677, as amended by the Senate, and 1664, HD 2, as amended by the Senate, were placed on the Clerk's desk, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 1677, SD 1, and 1664, HD 2, SD 1, were made available to the members of the House at 1:00 o'clock p.m.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 40 to 55) were read by the Clerk and were disposed of as follows:

A communication from Mrs. Bernard H. Levinson (Misc. Com. No. 40) acknowledging receipt of House Resolution No. 546, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 41) acknowledging receipt of a House resolution requesting Hawaii's Congressional delegation to take whatever action possible at the federal level to assist the sugar industry in Hawaii, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 42) acknowledging receipt of House Resolution No. 414, requesting Secretary Patricia Harris to expedite the adoption of regulations for FHA Section 240, Insured Mortgage Loans, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 43) acknowledging receipt of a copy of House Resolution No. 275, requesting Congress to maintain the waiver in the Airline Deregulation Act of 1978 which prevents automatic market entry of air carriers into Hawaii's interisland routes, was placed on file.

A communication from Ms. C. Matano, Administrative Assistant to Senator Matsunaga (Misc. Com. No. 44) acknowledging receipt of House Concurrent Resolution No. 30, to assist Hawaii's immigrant population, was placed on file.

A communication from the Honorable Cec Heftel, Member of Congress (Misc. Com. No. 45) acknowledging receipt of House Resolution No. 233, urging the Congressional delegation to work with all diligence to protect and safeguard the sugar industry of Hawaii, was placed on file.

A communication from the Honorable Cec Heftel, Member of Congress (Misc. Com. No. 46) acknowledging receipt of and responding to House Resolution No. 278, requesting President Carter to invoke the Pelly Amendment to prevent the illegal slaughter of whales, was placed on file.

A communication from Terry L. Leitzell, Assistant Administrator for Fisheries, United States Department of Commerce, National Oceanic and Atmospheric Administration (Misc. Com. No. 47) acknowledging receipt of and responding to House Resolution No. 278, requesting President Carter to invoke the Pelly Amendment to prevent the illegal slaughter of whales, was placed on file.

A communication from the Honorable Thomas P. O'Neill, Jr., Speaker, United States House of Representatives (Misc. Com. No. 48) acknowledging receipt of House Resolution No. 414, was placed on file.

A communication from the Honorable Thomas P. O'Neill, Jr., Speaker, United States House of Representatives (Misc. Com. No. 49) acknowledging receipt of House Resolution No. 275, was placed on file.

A communication from the Honorable Thomas P. O'Neill, Jr., Speaker, United States House of Representatives (Misc. Com. No. 50) acknowledging receipt of House Resolution No. 224, was placed on file.

A communication from the Honorable Thomas P. O'Neill, Jr., Speaker, United States House of Representatives (Misc. Com. No. 51) acknowledging receipt of House Resolution No. 297, was placed on file.

A communication from the Honorable Thomas P. O'Neill, Jr., Speaker, United States House of Representatives (Misc. Com. No. 52) acknowledging receipt of a copy of House Resolution No. 204, was placed on file.

A communication from Gloria M. Jimenez, Federal Insurance Administrator, Department of Housing and Urban Development (Misc. Com. No. 53) acknowledging receipt of House Resolution No. 241, requesting a deferment of the implementation of the National Flood Insurance Program in Hawaii, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 54) acknowledging receipt of House Concurrent Resolution No. 30, requesting renewed efforts by Hawaii's Congressional delegation for legislation to assist Hawaii's immigrant population, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 55) acknowledging receipt of House Resolution No. 204, urging that Congress exempt Hawaii's banks from the reserve requirements in the passage of the Monetary Improvement Act, was placed on file.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 642 to 652) and concurrent resolutions

(H.C.R. Nos. 160 and 161) were disposed of as follows:

- | <u>H.R. Nos.</u> | <u>Referred to:</u> |
|------------------|---|
| 642 | Jointly to the Committees on Health and Youth and Elderly Affairs, then to the Committee on Legislative Management |
| 643 | Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Culture and the Arts, then to the Committee on Finance |
| 644 | Committee on Education, then to the Committee on Finance |
| 645 | Jointly to the Committees on Youth and Elderly Affairs and Public Employment and Government Operations, then to the Committee on Legislative Management |
| 646 | Committee on Energy, then to the Committee on Legislative Management |
| 647 | Committee on Finance |
| 648 | Jointly to the Committees on Public Assistance and Human Services and Finance, then to the Committee on Legislative Management |
| 649 | Jointly to the Committees on Public Assistance and Human Services and Finance, then to the Committee on Legislative Management |
| 650 | Jointly to the Committees on Public Assistance and Human Services and Finance, then to the Committee on Legislative Management |
| 651 | Committee on Transportation, then to the Committee on Legislative Management |
| 652 | Committee on Education |

H.C.R. Nos.

- | | |
|-----|---|
| 160 | Committee on Judiciary |
| 161 | Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Ecology and Environmental Protection, then to the Committee on Finance |

COMMITTEE REASSIGNMENT

H.R. No. 624 was re-referred

to the Committee on Finance

SUSPENSION OF RULES

On motion by Representative K. Yamada, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain resolutions.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 663 and 664) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 663) commending Rocky Ka'iouliokahihikolo'ehu Jensen and members of Hale Naua III for the first contemporary Hawaiian art exhibit in the Bishop Museum was jointly offered by Representatives Holt, Anderson, Baker, Blair, Crozier, Fukunaga, Hagino, Hashimoto, Honda, Ige, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Marumoto, Masutani, Morioka, Peters, Sakamoto, Say, Shito, Stanley, Takamine, Takitani, Toguchi, Ushijima and K. Yamada.

On motion by Representative Holt, seconded by Representative Fukunaga and carried, H.R. No. 663 was adopted.

At this time, Representative Holt introduced the honoree, Mr. Rocky Jensen, who was seated on the chamber floor, and his wife, Lucia, and daughter, Natalie, who were seated in the gallery.

Representative Fukunaga then presented Mr. Jensen with a red carnation lei and Representative Holt presented him with a certified copy of the resolution.

A resolution (H.R. No. 664) commending Bruce Carter for his efforts to make Hawaii the sport fishing capitol of the world was jointly offered by Representatives Aki, Peters, Baker, Blair, Crozier, de Heer, Hagino, Hashimoto, Holt, Honda, Inaba, Kobayashi, Kunimura, Masutani, Sakamoto, Shito, Stanley, Takamine, Takitani, Uechi, Ushijima and D. Yamada.

On motion by Representative Aki, seconded by Representative Peters and carried, H.R. No. 664 was adopted.

Representative Aki then introduced the honoree, Mr. Bruce Carter, and his wife, Gladys, to the members of the House, stating:

"Mr. Speaker, we have with us this afternoon, Mr. Bruce Carter and his wife, Gladys. Bruce Carter has

really done much for our State and he is very well known for the popular television program, 'Let's Go Fishing'. This man has done much to promote sports fishing in our State, and this resolution that we have just passed is well deserved."

Representatives Marumoto and Larsen then presented floral leis to Mr. and Mrs. Carter, while Representative Aki presented the honoree with a certified copy of the resolution.

At 1:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of meeting our honored guests."

Upon reconvening at 1:29 o'clock p.m., the Speaker assumed the rostrum.

The Chair then directed the Clerk to note the presence of Representatives Stanley, Takamine and Ushijima.

SUSPENSION OF RULES

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

UNFINISHED BUSINESS

Stand. Com. Rep. No. 922 on S.B. No. 1373, SD 1, HD 1 (Deferred from March 30, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1373, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

Stand. Com. Rep. No. 923 on S.B. No. 1389, SD 1, HD 1 (Deferred from March 30, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1389, SD 1, HD 1, entitled: "A BILL FOR

AN ACT RELATING TO PLANNING AND DEVELOPMENT OF KAUAI", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

Stand. Com. Rep. No. 924 on S.B. No. 1409, SD 1, HD 2 (Deferred from March 30, 1979):

Representative Suwa moved that the report of the Committee be adopted and S.B. No. 1409, SD 1, HD 2, having been read throughout, pass Third Reading, seconded by Representative Morioka.

Representative Suwa then rose and stated:

"Mr. Speaker, before moving for the Third Reading, on Standing Committee Report No. 924, there are some typographical errors in the advise and consent of the Senate. Actually, the bill does not have any provision for the consent of the Senate; therefore, I will move for passage of the bill on Third Reading, notwithstanding the report of the Committee."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1409, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

Stand. Com. Rep. No. 925 on S.B. No. 1611, SD 2, HD 1 (Deferred from March 30, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1611, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

Stand. Com. Rep. No. 926 on S.B. No. 1483, SD 1, HD 2 (Deferred from March 30, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1483, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CIVIL SERVICE FOR THE HAWAII HOUSING AUTHORITY TENANT HIRE PROGRAM",

having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

Stand. Com. Rep. No. 927 on S.B. No. 77, SD 3, HD 1 (Deferred from March 30, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 77, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

Stand. Com. Rep. No. 928 on S.B. No. 1540, SD 1, HD 1 (Deferred from March 30, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1540, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EQUIPMENT", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

Stand. Com. Rep. No. 929 on S.B. No. 1737, SD 2, HD 1 (Deferred from March 30, 1979):

Representative Suwa moved that the report of the Committee be adopted and S.B. No. 1737, SD 2, HD 1, having been read throughout, pass Third Reading, seconded by Representative Morioka.

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

"Mr. Speaker, our laws in the field of labor relations are generally highly regarded throughout the nation as models of equal protection and procedural even-handedness for both the employer and the worker. The intent of Senate Bill 1737, as amended, however, attempted to redress one inequity and created another.

This bill tries to assure that a worker receiving temporary total disability payments cannot be deprived of this money by an arbitrary or capricious action by the employer. To allow for an appeal by the worker, it would now be necessary for his

employer to give two weeks notice -- enough time for an appeal and a ruling -- before payments would cease.

This two weeks notice places an unreasonable burden on the employer. First, there is still confusion in our laws about how to determine when a worker can be expected to return to work. As initially submitted by the administration, 'medical stability' was to be substituted as a standard of worker health. Your Committee deleted that phrase as confusing. However, the amendment in and of itself indicates that there is not a clear and available criteria for determining when an employee is no longer entitled to TDI benefits.

Further, the two weeks notice asks that the employer show greater medical knowledgeability than can be expected from many doctors. Are we now asking that the employer be able to predict within two weeks when an employee may reasonably be expected to assume work? Isn't it now possible for an employer to serve such notice only when he is totally assured of a worker's ability, and thereby, be forced to continue payments for two weeks longer than is necessary?

Mr. Speaker, I believe that this bill requires more work. Surely, there must be a more refined definition of a worker's medical status. And there must be a more appropriate manner to protect mutual rights.

One possibility, for example, would be an automatic trigger response in payments. If an appeal were made, then payments would continue for another two weeks until a decision could be reached. As it is, I believe that we have created a blanket imbalance of perogatives when we had meant to address a limited number of grievances.

I urge the members of this House to vote against this measure. It must never be the consequence of our laws to enlarge a problem area, and that is what we would do with Senate Bill 1737.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted, and S.B. No. 1737, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Anderson, Evans, Ikeda, Lacy, Medeiros, Narvaes and

Sutton voting no, and Representative Garcia being excused.

Stand. Com. Rep. No. 930 on S.B. No. 1771, SD 2, HD 1 (Deferred from March 30, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 1771, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

Stand. Com. Rep. No. 931 on S.B. No. 615, SD 1, HD 1 (Deferred from March 30, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 615, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT OF RETIRED PATIENT EMPLOYEES OF THE DEPARTMENT OF HEALTH", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

Stand. Com. Rep. No. 971 on S.B. No. 46, SD 2, HD 2 (Deferred from March 30, 1979):

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and S.B. No. 46, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICE AND EMPLOYMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 3)", having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Sutton voting no, and Representative Garcia being excused.

The Chair directed the Clerk to note that S.B. Nos. 1373 and 1389 had passed Third Reading at 1:30 o'clock p.m.; 1409 at 1:31 o'clock p.m.; 1611 and 1483 at 1:32 o'clock p.m.; 77 and 1540 at 1:33 o'clock p.m.; 1737 at 1:36 o'clock p.m.; 1771 at 1:37 o'clock p.m.; 615 and 46 at 1:38 o'clock p.m.

STANDING COMMITTEE REPORT

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 987) informing the House that House Resolution Nos. 642 to 658, House Concurrent Resolution Nos. 160 and 161, and Standing Committee Report Nos. 904 to 986, have been printed and distributed.

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 665 to 667) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 665) congratulating the architectural firm of Wimberly, Whisenand, Allison, Tong and Goo for their forthcoming projects in the People's Republic of China was jointly offered by Representatives Say, Hagino, Masutani, Aki, Anderson, Baker, Blair, Crozier, Fukunaga, Hashimoto, Holt, Inaba, Kihano, Kiyabu, Kobayashi, Lacy, Larsen, Machida, Marumoto, Morioka, Narvaes, Shito, Sutton, Takamine, Toguchi, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Say, seconded by Representative Masutani and carried, H.R. No. 665 was adopted.

A resolution (H.R. No. 666) congratulating Hiroshi Yamashita on his election as President of the National School Boards Association for 1979-80 was jointly offered by Representatives Suwa, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwayne, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Suwa, seconded by Representative Segawa and carried, H.R. No. 666 was adopted.

A resolution (H.R. No. 667) congratulating Andrew Oishi and Troy Mimura of Kaimuki High School for their outstanding performance in the HHSAA 1979 State Wrestling Tournament was jointly offered by Representatives Kiyabu, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Fukunaga, Garcia, Hashimoto, Holt, Honda, Ige,

Ikeda, Inaba, Kamalii, Kawakami, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Sakamoto, Say, Segawa, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Ushijima, Uwaine and K. Yamada.

On motion by Representative Kiyabu, seconded by Representative Kobayashi and carried, H.R. No. 667 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 659 to 662) and concurrent resolutions (H.C.R. Nos. 162 and 163) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, April 3, 1979:

A resolution (H.R. No. 659) requesting a review of the progress and implementation of the Hawaii Historic Preservation Program was jointly offered by Representatives Takamine, Segawa and K. Yamada.

A resolution (H.R. No. 660) requesting that certain historic properties on the Big Island, including the Kamakawiwoole's Church, Laupahoehoe Nui, Laupahoehoe Jodo Mission, Kohala Courthouse, and Paauhau Jodo Mission, be entered into the Hawaii Register of Historic Places was jointly offered by Representatives Takamine, Inaba, Segawa and K. Yamada.

A resolution (H.R. No. 661) urging the continuing operation of the Kohala Feed and Forage Research Project of the College of Tropical Agriculture and Human Resources of the University of Hawaii was jointly offered by Representatives Takamine, Inaba, Segawa and K. Yamada.

A resolution (H.R. No. 662) requesting the Judiciary Branch to uphold and vigorously enforce Hawaii's criminal justice system was jointly offered by Representatives Kunimura, Anderson, Blair, de Heer, Dods, Hashimoto, Honda, Ige, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Larsen, Lee, Masutani, Nakamura, Segawa, Stanley, Suwa, Takamine, Takitani, Uechi, Ushijima and D. Yamada.

A concurrent resolution (H.C.R. No. 162) urging the continuing operation of the Kohala Feed and Forage Research Project of the College of Tropical Agriculture and Human Resources of the University of Hawaii was jointly offered by Representatives Takamine, Inaba, Segawa and K. Yamada.

A concurrent resolution (H.C.R. No. 163) relating to the development of the functional plan for agriculture was offered by Representative Wakatsuki (by request).

THIRD READING

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

S.B. No. 1451, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Stanley and carried, S.B. No. 1451, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 87, SD 1, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, S.B. No. 87, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1091, SD 1, HD 1:

Representative Suwa moved that S.B. No. 1091, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Morioka.

Representative Sutton then rose and stated:

"Mr. Speaker, I rise to speak against the lapsing part that comes in Section 6. But, I am speaking with reservations and, therefore, I will vote 'yes' on the bill, but I am speaking against the concept and it is a reservation.

Mr. Speaker, if you will turn to page 4, Section 6, you will find that the lapsing here is now an amount of \$5,500,000. This leaves but a half a million dollars to proceed with what we have all called in the past a mass transit. Suddenly, we have a new name -- bus/rail. A rose by any other name, Mr. Speaker, is still a rose, and mass transit by the name 'bus/rail' is still mass transit. But on top of that, they call it bus/rail mass transit to cover all the bases -- they can't go wrong.

The only part is that we live in an area that has had immense urban growth and this urban growth has not been taken care of from the point of view of

transportation.

We allowed the City and County of Honolulu to proceed on the basis of the fact that we would get at least 80 percent federal funding for a transit system and we were hoping that by forming a Metropolitan Planning Organization with a very strange name, Mr. Speaker, sounds like a New Deal name -- OMPO -- that we could proceed with a sort of a joint concept of the State and the City and County working together. Our City and County encompasses this whole island, as you know, but it is in the high density areas of this City that we have an immense problem, and I feel that a solution to this problem must come.

From three parts of this island, we have a tremendous Trans-Koolau, Trans-Moanalua, which you take every morning across Red Hill, and the people coming in from Hawaii Kai. They then come into this urban corridor and all meet, each one having had immense difficulty getting in, and when they get in here, we have no provision for mass transit at all.

We are what the Hawaiians would call, and what my learned friend from Waianae would call, kuwaenas. And we have a kuwaena concept here, and I think we've got to get rid of that kuwaena concept. We've got to realize that we live in a highly developed island. Whether we like it or not, it has been just like Topsy -- it has just grown. And we must make provisions, Mr. Speaker.

By lapsing the \$5,500,000, we have said in so many words that we do not give this a high priority. And when this bill came over from the Senate, it had a new time interval and it had a time interval of 1980 -- June of 1980. Now, we have that same new time interval in House Draft 2, but here we have, Mr. Speaker, a lapsing of \$5,500,000.

Mr. Speaker, if transportation is the most urgent thing facing us on this island, should we not proceed with full haste? I recognize that the City and County has been derelict in its duty of getting a report, but we have had a new man, Mr. Way, that has come over and stated, in all sincerity, that he is going to get a report to us by the 1980 session. Therefore, should we not have made full amends and let them have the whole \$6 million? However, half a loaf is better than none but, Mr.

Speaker, this is not half a loaf -- this is 1/8 of a loaf. And, Mr. Speaker, 1/8 of a loaf is certainly not as good as a whole loaf.

So, I would urge you to vote for this bill but keep these reservations in your mind.

Thank you."

Representative Marumoto then rose and stated:

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

I just would like to make the point that the conferees on this bill give serious consideration to restoring the full \$6 million that was originally appropriated.

Thank you very much."

Representative Dods then rose and asked:

"Mr. Speaker, can I just have my remarks inserted into the record that I previously made on the mass transit bill?" (See 35th Day -- House Bill No. 69, House Draft 1)

The Chair said:

"If there are no objections, so ordered."

Representative Sutton then rose and stated:

"Mr. Speaker, objection. I don't know what he is going to stick in there and I would like to rebut it."

The Chair stated:

"Representative Sutton, I believe the Journal will reflect the statements and arguments presented on this floor by Representative Dods, and you have rebutted those remarks at that particular time."

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

"Mr. Speaker, I rise to speak in favor of this bill, particularly with regard to the item in Section 6, page 4, relating to a bus/rail transit system.

In our floor discussions over House Bill No. 69, relating to mass transit, I was concerned about the question of lapsing the funding at the present time.

There was some confusion about whether this project would automatically

lapse next year or whether it would be tied into federal funds because of the terminology used in the funding legislation.

I am happy to see that this bill clears up that question by specifying a bus/rail mass transit system and leaving open the lapsing date until at least 1980.

I must commend our House Finance Committee Chairman for having the wisdom and foresight to understand the ramifications of this issue and taking the care to report out a bill that is much more responsible.

I believe there can be no question that our actions on this bill will demonstrate our willingness to work out our differences and find a compromise that will assure that the people of this State are best served.

Thank you."

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

"Mr. Speaker, my concerns are quite different from those reiterated by my other colleagues. I am speaking against Senate Bill 1091, Senate Draft 1, House Draft 1, because of the Item H-19, on page 3, Section 4, Wawamalu Queen's Beach.

Mr. Speaker, the lapsing of funds for Wawamalu Queen's Beach amounts to the removal of one more barrier for development of this area and opens up the real possibility of a hotel-resort development. I would prefer to see this area kept in open space as a park for all the people of Hawaii, and I feel that the majority of the people in my district feel the same way, and for this reason, I will vote against this measure.

Thank you."

The motion was put by the Chair and carried, and S.B. No. 1091, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS", having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Ikeda voting no, and Representative Garcia being excused.

S.B. No. 1438, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 1438, SD

1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1650, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 1650, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATION AND MERGER OF CORPORATIONS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1634, SD 2, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 1634, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1752, SD 1, HD 1:

Representative Blair moved that S.B. No. 1752, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Shito.

Representative Sutton then rose and asked for a ruling on a potential conflict, saying that "I have taken the CPA exam."

The Chair ruled "no conflict."

Representative Sutton then stated:

"Mr. Speaker, I rise to speak against this bill.

Mr. Speaker, professions that the public depend on like medicine and law, CPA's, are professions that cannot receive any type of compassion. They must have the highest professional standards. We do not license a doctor to perform surgery because he is a nice fellow, because we think it would be unfortunate that he could not practice medicine; same thing is true of lawyers and CPA's. We must keep each and every one of these professions upon whom the public depends so much. An auditor's report that goes to the stockholders of a corporation is not relied on just by the stockholders but by the general public. And a CPA's audit is something which has immense significance.

Last night, we sat for sixteen hours in Mr. Suwa's Finance Committee and at two times, we allowed certain CPA's to come in and give audit managements. We will spend \$50,000 on one report. These reports are required because of the expertise and the type of infinite precision that goes in to a CPA's report. And for us to dilute in any way, shape or manner the profession, certified public accountant, even though we have hardship cases of people who have not received their baccalaureate degrees who are in CPA offices, is not accomplishing the mission; that is, taking care of the public. We must keep our eye on the big target, Mr. Speaker, and we must not be confused by a rationale that only talks of hardship for one person when the general public's welfare is at stake.

Therefore, Mr. Speaker, I would ask that you and your colleagues, and my colleagues on this side of aisle, to vote 'no'."

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

"Mr. Speaker, I would just like to clarify some of the remarks that were made by the previous speaker.

Basically, right now, Mr. Speaker, the present law requires the candidate for a CPA certificate to have a bachelor's degree and thirty additional hours. Within that thirty additional hours and a bachelor's degree, Mr. Speaker, the only requirement as of now is that the candidate have twenty credit hours in accounting. As far as for the thirty additional credit hours, Mr. Speaker, the candidate can take P.E., he can take music, he can take anything that he wants to take as long as it is in the upper division.

Mr. Speaker, the present Board of Accountancy has no requirement as far as what the thirty credit hours should be in or in what field. As of now, Mr. Speaker, the candidate can take any course that he wants to take as long as he fulfills the requirements and sit for the examination.

Mr. Speaker, the only thing that this bill requires the person to do is to have the necessary hours in accounting to sit for that exam. As far as the thirty additional credit hours, it is still vague at the moment so, at the very minimum, it still requires the person has twenty hours in accounting.

With that in mind, Mr. Speaker, it does nothing less than what is presently in the law right now."

Representative Blair then rose and stated:

"Mr. Speaker, I rise to speak in favor of the bill very briefly.

Basically, the purpose of this bill is to provide equitable treatment for students who do their undergraduate work in Hawaii so that they are treated equal to those who do their undergraduate work on the mainland. It simply changes the sequence and not the actual requirements for licensure.

On the point raised by the previous speaker as to which courses would meet the thirty hour requirements, one of the outcomes of this bill is we now have an understanding with the Board of Accountancy that they will promulgate rules and regulations which specify which courses will meet the thirty hour requirement and it will be relevant to their education in accountancy. Also, the University of Hawaii will make the thirty hours of courses available to meet the needs.

Thank you."

Representative Ikeda then rose and requested that her remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Ikeda's remarks are hereby inserted, as follows:

"Mr. Speaker, I rise to speak in favor of this bill, and to express my reservations.

The purpose of this bill is to amend the law relating to educational requirements to qualify for the CPA exam. It was generally recognized and acknowledged by those in the field of public accounting and by the Legislature that additional education was required to make Hawaii's CPA's capable of taking the certified public accountant's examination.

The American Institute of CPA's established that 150 hours of study is necessary to qualify for entry into the CPA profession. That additional 30-hour requirement is provided for in this bill. The increasing demands placed upon today's public accountant compel the Legislature to assure that requirements are specified to provide for the highest caliber of CPA licensee.

My concerns, however, are that

this 30-hour requirement at this point in time may cause an undue hardship upon island students in the field of public accountancy. Hawaii and Colorado are the only states that would be requiring the additional 30 hours before you can qualify even to take the exam. Students in this field may have great difficulty fulfilling the new requirement because it was not anticipated when they first entered this field of study.

Furthermore, there have been strong indications that we should move the implementation date up to 1983 instead of having it begin immediately, in order to allow time for the other states to enact similar legislation and equalize the requirement.

It is unfortunate that the draft before us does not allow for the transition period and places undue hardship upon our students already seeking a license in public accountancy.

Despite these reservations, I believe this bill is responsive to the basic need for greater academic training for CPA's. We cannot afford to license individuals who have not had sufficient training to provide the expertise we so badly need in this area.

I urge we support this bill.

Thank you."

The motion was put by the Chair and carried, and S.B. No. 1752, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", having been read throughout, passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Anderson and Sutton voting no, and Representative Garcia being excused.

S.B. No. 1439, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 1439, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 697, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 697, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 695, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 695, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELEVATOR MECHANICS LICENSING BOARD", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 692, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 692, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MASSAGE", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 691, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 691, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE LICENSING BOARD", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1315, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 1315, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

At 1:59 o'clock p.m., upon the request of Representative Evans, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:46 o'clock p.m.

S.B. No. 1539, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, S.B. No. 1539, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY", passed Third Reading by a vote of 50 ayes, with Representative

Garcia being excused.

S.B. No. 1238, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative K. Yamada and carried, S.B. No. 1238, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1680, SD 1, HD 1:

Representative D. Yamada moved that S.B. No. 1680, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Honda.

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

"Mr. Speaker, you and I, as attorneys, have a saying that 'the road to hell is paved with good intentions', and this bill is a good indication of that. What we fail to do here is far more significant than what we end up doing; namely, nothing.

Omission, Mr. Speaker, is what bothers me on this Crime Commission.

I had the good pleasure of being on a six-state television, and you don't have to own a television station back in Chicago to get on it. Mr. Speaker, I was with James Thompson, Governor of the State of Illinois, and he said, 'Do you have a Crime Commission like we have? We have two of them -- one in Chicago and one in Illinois.' And I said, 'No, we don't.'

As you know, the leadership of this party introduced a Crime Commission bill. We started off bravely. We had a 36-month period commencing July 1, 1977. Unfortunately, it ended June 30, 1980 under that bill. That Commission was supposed to be composed of twelve members, all of whom, with the exception of the Chairman, should be appointed by the Governor with the advice and consent of the Senate. And they would have served a term commencing July 1, 1977 going to June 30, 1980, and the members would have been representative of the population of the State, and any vacancy on that Commission, except the Chairmanship, was to be filled for the unexpired term by the Governor, again, with the advice and consent of the Senate. The members of that Commission

would have been compensated and the Governor could remove them for cause. And, at that time, we had a part that the Commission could receive and use gifts of money from federal, state, county and private sources. We had a brave new start of this Crime Commission.

Then, Mr. Speaker, we got the Crime Commission going but they found in their report, and three times they have indicated this, that they lacked immunity -- immunity, not just for the staff, but immunity for the Commission. It is exceedingly difficult in this day and age of tremendous amount of litigation for anybody to speak about anything without getting a law suit. And, therefore, Mr. Speaker, you can't ask people who are doing work on a Crime Commission and Commissioners not to proceed with full immunity -- immunity from civil liability, immunity from criminal liability for slander, defamation. . .defamation per se. Mr. Speaker, the very nature of the work of the Crime Commission requires that they have this type of immunity.

Furthermore, Mr. Speaker, they've got to get information. And when this bill came over from the Senate, they had this capacity to get information. They had this immunity. Now, all of a sudden, I hold in my hand a skeleton, just a skeleton -- a worthless document, a piece of paper that has no value, just about as much validity as one of the Kaiser bills treaties of peace with the United States which we tore up because it had no value.

This has no value, Mr. Speaker. Therefore, Mr. Speaker, I would ask you to vote 'no' against this because it does not do anything -- period. And its omissions are so gross that it is a disgrace for this body to pass it -- no immunity, no capacity to get information, no basic protection of those doing the job and not following any of the precepts enunciated to me by Governor James Thompson who may be President of the United States of America, Mr. Speaker.

So, I would ask you to vote 'no' on this and ask your colleagues and ask my colleagues so that we may start anew and give this Crime Commission the immunity and the powers which they should have and, therefore, I ask for a 'no'.

Thank you."

Representative Kamalii then rose and stated:

"Mr. Speaker, I am compelled to speak against this bill as amended by our Judiciary Committee. Senate Bill 1680, with its Senate draft, came over to us as a respon-

sible, visionary document -- a piece of legislation worthy of our attention and time. It has come out of the Judiciary Committee on this side, unfortunately, looking like last week's TV Guide. The Committee has taken all the meat out of this bill and given us the measure that barely honors the intent and purpose of the bill in the first place.

Let us take a look at the Committee report before us. It says the purpose of this bill is to 'establish a privilege from civil liability for the Crime Commission and its staff for actions done or statements made in the course of their duties; allow the Commission to manage reward money; and enable it to obtain appropriate information from governmental agencies'. And all that is left in this bill is the part about the reward money and the most important two-thirds have been left out. This is ridiculous.

The Judiciary Committee has taken in a highly commendable measure sent over from the Senate and given us the shell of the bill to vote on today. Why bother? Why didn't they just kill the measure in Committee and give it death with dignity. Enough of this lip service about the so-called 'war against crime'. There is no such thing. Everybody is so afraid of hurting the criminals' rights that these people will continue to get off scot-free. The powers that are in this town like to talk about how we are going to get rid of organized crime and white-collar crime and blue-collar crime, but when it comes down to making the hard decisions about doing the job, we chicken out.

Maybe, we all have short memories or something. I can recall that fighting crime was a pretty big issue in at least one gubernatorial campaign not too long ago. I can also recall that a statewide poll, also not too long ago, revealed that the number one concern of the people in this State is the subject of crime. I can also recall the words of Act 16 passed by this Legislature in 1977 creating the State Crime Commission. We said at that time that the Legislature finds 'that crime in its various manifestations affects virtually every person in this State in one way or another. The far-reaching consequences of crime find expression in creating unease and fear among the residents and businesses of this State, unknown measures of distrust among citizens towards both the public and private sectors,

feelings of isolation and helplessness in meeting the very real possibility of being victim of a crime, and frustration in dealing with a system which may not be meeting the real crises of crime.'

We also said in the bill we passed that year that we needed to secure public input and opinion to better meet the needs of the State in combatting all types of criminal activities within the State, and I quote, 'that the establishment of broad-based body, representative of the residents of this State, is a matter of compelling State interest so that the residents of the State can help to achieve and be provided with a social environment with minimal prospects of criminal activity.'

I also quote from the purpose clause of that Act which we passed in 1975: 'To provide a mechanism for citizen input into governmental activities with regard to crime to a systematic and thoughtful development of new programs, review of on-going programs, investigations, public education, and legislative recommendation functions to be performed by the Crime Commission.'

I ask you, why even have a Crime Commission with such a tremendous mission if we do not furnish them with the proper tools to do their jobs and accomplish anything worthwhile? That purpose clause clearly stated that the work was to be done 'to systematic and thoughtful development of new programs, review on-going programs. . .', and again I say, 'investigation.' Right there, we are assured that this Commission is not mandated to conduct witch-hunts or create panic in the streets, nor is its mission to improperly expose the private lives of any innocent citizen to the glare of publicity. If we are concerned about the things mentioned in the House Judiciary Committee's report about confidentiality of sources, about invasion of privacy, or irresponsible release of information obtained from government agencies, then, maybe the burden of responsibility lies upon the appointing authority. Maybe we should focus our concerns upon the quality of members appointed to the Crime Commission to make sure that they are honest citizens who are fully capable of carrying out the task sent before them as members of the Crime Commission. The responsibility, I believe, lies with the Governor and with the Senate which must approve these appointments. I have great faith in the people of this State, the honest, law-abiding people who have come forward to serve on this Commission in a sincere effort to conduct themselves in a responsible and concerned manner.

I believe the amendment of this bill by our House Committee is a travesty on the legislative system, not because the Committee honestly disagreed with the intent and purpose of the measure, but because its reasoning for making these deletions only feeds public antagonism and distrust of government and lend credence to the idea that government has something to hide. As the Commission's first report on organized crime in Hawaii states: 'The power of organized crime is only as great as its relationship to the respectable powers of society such as business, government and other influential sectors.'

The President's task force on organized crime has also stated that organized crime only flourishes where it has corrupted officials.

An individual reporter familiar with the organized crime situation has further stated, and I quote: 'To say that we have organized crime involves great government participation and sanction. It means that government is guilty because it takes government help to make organized crime work. It can't exist in a community where the people won't allow it to.'

The crime report talked about the timidity of individuals who are confronted with the repressible existence of criminal situations who may strongly suspect the truth or even have some evidence about this person, prefers to push the question out of his mind and tolerate the situation. Haven't we reached the point yet where we find crime intolerable? I argue that timidity is the hauteur today. We are acting on a question of timidity.

The amendments to this bill reflect the kind of attitude. We have used excess caution where no evidence has been shown that there was a lack of caution in the past. We have demonstrated to the public that we are more afraid of exposing a questionable private or public activity than we are of fighting the war against crime.

Let's get the issue out of the closet and let our Commission continue its valiant efforts to do the job that government itself has failed or neglected to do before. Let's either pass the original bill that was sent to us by the Senate or let us send our Judiciary Committee Chairman into conference with a strong message

that we mean to back up this war against crime with meaningful legislation.

Thank you, Mr. Speaker."

Representative Narvaes was recognized and he stated:

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

Directed by the Chair to "proceed", Representative Narvaes asked:

"Mr. Speaker, may I have the words of the honorable Representative from Waikiki entered into the Journal as that of my own?"

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

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

"Mr. Speaker, basically, Senate Bill 1680 came to us in three sections. Let me start backwards.

First, Section 3 would go to the new words that was added in to the effect to provide information to the Crime Commission. At our hearing on the Senate bill on the same subject matter, the question was asked of Mr. Doi who is the Chairman of the Crime Commission to the effect that, why is this language put in there? Mr. Doi, as I recall, replied to the effect that he feels that the Crime Commission already has this power and this clarifies. Such being the case, Mr. Speaker, your Committee felt that if they already had the power, then so be it. It will be redundant to so restate it.

Secondly, Mr. Speaker, the question of why the section of immunity was left out. Mr. Speaker, when the Crime Commission was first enacted, Chapter 843-5 outlines the functions of the Crime Commission. No parts in that section gives the Crime Commission prosecution powers. Mr. Speaker, your Committee considered this question very hard, as far as immunity is concerned, and basically, it was felt, generally, that if the Crime Commission had any facts of alleged wrongdoings, that the proper procedure then. . . that is, the information should be turned over to the prosecuting attorney who, by use of the grand jury system, can air out the allegations in front of a grand jury to see if there is probable cause to make arrests. Secondly, Mr. Speaker, the way this immunity is drafted in the bill, many of us felt was too broad as it not only gives

the Commission members and the Chairman immunity, but also their staff and employees.

Mr. Speaker, I don't know how most people would view things, but it would seem that for staff and employees, that if they speak, say, in my office, for me, then I would not prefer having them on my staff, or as an employee. Anything that I would say, I would have to say for myself, and I don't then feel that immunity should be granted that far.

Another thing, Mr. Speaker, there are all kinds of immunity. . . different types of immunity. Some immunity, for instance, like the Supreme Court, it stems from the Constitution itself, as far as providing immunity to the Supreme Court judges; legislators have immunity pursuant to the Constitution. I think all prosecutors and judges also have immunity. Such being the case, Mr. Speaker, it was felt by your Committee that since these bodies do have immunity, that with the functions of the Crime Commission as delineated by Chapter 843-5, that when it comes down to actual naming and actual alleging of crimes, really, the proper body should be the prosecuting attorney's office as they already have immunity.

Now, Mr. Speaker, a statement was made that it seemed that everybody is so concerned about protecting criminal rights. Mr. Speaker, when your Judiciary Committee looked at the issue of immunity, we looked at it from the standpoint of protecting any individual's rights. For instance, if allegations are made, or inferences are made which really are not true, then why should a commission then be immune from liability? I think that if a commission or any person has hard facts, then these facts should be brought over to the proper body, and again, this is the prosecuting attorney's office.

Another thing, the Crime Commission report was referred to by prior speakers and I guess part of what the Crime Commission said was that organized crime can only flourish if government permits. I submit to you, Mr. Speaker, and members of this honorable body, if, in fact, organized crime does exist in government, then the proper body should be informed of that and prosecution started. The mere fact that statements are made like that generally and

there is no specific allegations, I really don't think it is very constructive nor is it very useful.

In light of all these arguments, Mr. Speaker, your Judiciary Committee looked over this immunity section long and hard and tried to understand the subject of immunity and, at the present time, Mr. Speaker, it was felt that because of the questions that we have in our minds, that we should not grant such immunity at the present time to the Crime Commission.

For these reasons, Mr. Speaker, I hope that all members vote for the bill.

Thank you."

Representative Evans was recognized and she requested a roll call vote on this measure.

Representative Sutton, in rebuttal, then stated:

"Mr. Speaker, the learned gentleman from Kauai has stated that this came from the Senate divided in three parts -- similar to Caesar's statement, 'Golia es divisa in tres partis'. We are not interested in how many parts it is divided into. We are interested in the basic concept that he brought up and on each point, he referred back. And he referred back to 843-5, Commission, functions: 'The Commission shall have the following functions and shall perform the following duties: (1) Develop, recommend, and where appropriate, implement public education programs; (2) Develop, recommend, and where appropriate, implement programs of public education to provide defensive living education to the public, and information regarding affirmative steps which may be taken to avoid occurrence of crime, eliminate the possibility of becoming a victim of crime, and other information designed to defend against any aspect of crime; (3) Review and make recommendations regarding the operations of existing programs, agencies, and other projects relating to crime; (4) Review and make recommendations regarding existing substantive laws, procedures, and practices in relation to criminal matters or procedures, and the justice systems; (5) Study and make recommendations for facilitating the reduction and prevention of destruction of public property, school violence, business, and other white collar crimes, and criminal activity; and (6) Study, develop, and make recommendations for the protection of the community, including name check systems for businesses,

and other measures designed to protect individuals and the State from crime and direct and indirect criminal influence.'

That is the job. He has just cited it. And he says they don't need immunity and they're not the appropriate body. Three times, he said, this is not the proper body, go to the prosecuting attorney. The prosecuting attorney, Mr. Speaker, in this State, for all intents and purposes, is the City and County government. The Attorney General very seldom goes into the prosecuting attorney role although he does have that power. And we did see that in the Kukui Plaza case. But we have not seen the Attorney General as a prosecuting attorney. Therefore, he says, no, this is not the proper role for this Commission.

But what about Governor Thompson's commission in Illinois and Chicago? They grant immunity, and they grant the power to get this information.

And then he talks about the word 'immunity' and he talks about the word 'immunity' as if, somehow or other, we can get a definition that will get us confused. Immunity, Mr. Speaker, is very similar to what a diver wears when he goes under water. It is a protection. Immunity is like what a knight of old wore with his armor made of steel. Immunity allows that individual who has been clothed with the responsibility to have that degree of privilege. That is where we started the common law concept of privilege, so whether we talk about the type of immunity that we enjoy here on this floor or the type of immunity that a judge has, it is ridiculous for us to try to say that this immunity is not required here, that these people cannot perform their functions.

Then, he talks about his own staff. He says, well, I wouldn't want my own staff to act as his principal agent. Well, I would say to the learned gentleman from Kauai -- select a staff so that that staff being your agent will, and this is a principal agent concept of the common law. We are always responsible for the acts of our agents.

Therefore, we should get appropriate people into this Crime Commission and to the staff, clothe them with immunity, and I would say in furtherance of the learned gentleman's last statement that he look at the very successful crime commission in Illinois, the

very successful crime commission in the city of Chicago, and find out why they were so successful. They were clothed, Mr. Speaker, with immunity."

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

"Mr. Speaker, two points which I believe have already been brought up so I will be very brief.

First is that the Police Department testified very strongly in opposition to allowing access to police records on a demand basis by political appointees, and I think we are being soft on crime by siding with the Police Department.

On the other point, Mr. Speaker, when the proponent of this measure came before the Committee and asked for immunity, the question was posed to him: 'What standard of slander and libel would be applied against you? Would liability follow only if there was a showing that the statements were made with reckless disregard of the truth?' He said he thought that might be the case but he really wasn't sure.

I submit, Mr. Speaker, that when a person proposes that they be granted immunity, I personally would like to know what it is we are granting them immunity from. If they already have immunity up to the point of reckless disregard for the truth, then I, for one, would not want to be in the position of giving them immunity to allow them to make statements with reckless disregard of the truth.

The point should further be made, Mr. Speaker, that investigation does not per se require a publication, and I think our whole grand jury system is predicated on that philosophy and I would not like to see it abandoned.

Thank you."

Roll call having been requested, the motion was put by the Chair and carried, and S.B. No. 1680, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A CRIME COMMISSION", having been read throughout, passed Third Reading by a vote of 42 ayes to 7 noes, with Representatives Anderson, Evans, Kamalii, Lacy, Marumoto, Narvaes and Sutton voting no, and Representatives Garcia and Nakamura being excused.

S.B. No. 50, SD 1, HD 1:

On motion by Representative D.

Yamada, seconded by Representative Honda and carried, S.B. No. 50, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT JUDGES (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 670, SD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 670, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES", passed Third Reading by a vote of 49 ayes to 1 no, with Representative Sutton voting no, and Representative Garcia being excused.

S.B. No. 42, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 42, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1727, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 1727, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 15, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 15, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 919, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 919,

SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 393, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 393, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 9, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 9, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENT OF ARTICLE II, SECTION 4)", passed Third Reading by a vote of 49 ayes to 1 no, with Representative Sutton voting no, and Representative Garcia being excused.

S.B. No. 666, SD 2, HD 1:

On motion by Representative Lee, seconded by Representative D. Yamada and carried, S.B. No. 666, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF OVERPAYMENTS OF PUBLIC ASSISTANCE", passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Baker, Hagino and Sutton voting no, and Representative Garcia being excused.

S.B. No. 1760:

Representative Dods requested that action be deferred to the end of the calendar and the Chair, noting that there were no objections, so ordered.

S.B. No. 683:

On motion by Representative Dods, seconded by Representative Masutani and carried, S.B. No. 683, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE DEPARTMENT OF TRANSPORTATION", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 870, SD 2, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 870, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTER-ISLAND TRANSPORTATION SYSTEM", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1753, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 1753, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1657, SD 2, HD 1:

On motion by Representative Uechi, seconded by Representative Suwa and carried, S.B. No. 1657, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 168, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 168, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY PROCEEDINGS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 45, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 45, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 664, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 664, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSIGNMENT OF WAGES FOR CHILD SUPPORT", passed Third Reading by a vote of 50 ayes, with Representative

Garcia being excused.

S.B. No. 1682, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 1682, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE OF PROPERTY USED IN ILLEGAL GAMBLING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1282, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 1282, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION", passed Third Reading by a vote of 49 ayes to 1 no, with Representative Lee voting no, and Representative Garcia being excused.

S.B. No. 1043, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 1043, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDING OF INTEREST IN CIVIL CASES", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1703, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 1703, SD 1, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS", passed Third Reading by a vote of 49 ayes to 1 no, with Representative Fukunaga voting no, and Representative Garcia being excused.

S.B. No. 1492, SD 2, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 1492, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1516, SD 1, HD 1:

Representative Blair moved that S.B. No. 1516, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Shito.

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

"Mr. Speaker, we are engaging in a very strange type of action here. A great many people make their living selling these time sharing units, or they are members of clubs like the Royal Aloha Vacation Club. This particular bill and the Committee report says that they are regulating the operation, marketing, and role of time sharing programs. But, Mr. Speaker, when you read the bill itself, they are not regulating it -- they are killing it.

Here is the exact wording here -- page 5, Mr. Speaker, if you will look, you will see under Section 6: 'Prohibition. No person shall sell, or offer for sale, any time share estate, time share program, or time share use.' That is not regulating it; that is completely prohibiting it -- absolutely destroying it.

Now what has happened, Mr. Speaker? We haven't heard anybody buy this time sharing. We have allowed various groups, and this is done all over the world now, it is a whole new concept. You can go to any country in the world and get a much cheaper than a hotel a time sharing unit. Maybe it is on the basis of say, one week, and you would find a rate maybe one-half of what you would pay in a hotel. Our hotels are 99 percent full and have been since December. Certainly, they are having trouble now with the United Airlines strike. That would also hurt the time sharing.

But, this time sharing is not in any way, shape or manner, going to hurt the hotel industry. The hotel industry has already been indicted, Mr. Speaker, on anti-trust charges, very serious anti-trust charges -- restraint of trade, conspiracy, price fixing. Nothing is better than competition as our basic concept of our anti-trust laws and having this time sharing is very appropriate because it means a free marketplace.

Mr. Speaker, I have in my hand here some forty-two letters and

could the Sergeant-at-Arms take these, please. Rather than reading them, can I just have them incorporated. . . a couple of them, just the basic concept? One of them is addressed to our old former companion, Carroll. He used to introduce people in the gallery and they weren't there and now, he is over in the Senate. I understand he introduced people the other day and they weren't there. But these letters to him are good so can I just have the Sergeant-at-Arms take these up to the Clerk and incorporate a couple?"

The Chair stated:

"Representative Sutton, the Chair would prefer that you read the letters so all members of this body would be aware of it and incorporate same into your argument so that any member here may have an opportunity to rebut if they so desire."

Representative Sutton then said:

"Read the letters? Alright, fine. I will take one of the club type, and this is the Royal Aloha Vacation Club, 1314 South King Street: 'Dear Ike Sutton: I am the housekeeper for Royal Aloha Vacation Club and I oversee eleven different maids which are all local island people. This company provides good jobs and security for them as well as for myself. Most of us have large families who are dependent on our jobs. Their jobs help the island people to be good citizens and to pay State taxes, to educate our children, and to keep off welfare. It would be very hard for them to go out and get other jobs because of their poor communication and language barriers. I am asking you not to pass the time sharing which I have heard about. I have four children living at home and both my husband and I have jobs with time sharing companies. He works for American International Vacation Club. We have lived in Hawaii almost five years and are voting residents. So, I am also asking on behalf of my family and myself that you do not pass the time sharing bill. Thank you sincerely, God bless you. Marilyn G. Monroe.'

Now that is an indication of the Royal Aloha Vacation Club. That is one concept, and that is where the individual comes in and becomes a member of a club and the club gets the time sharing; they pick people up at the airport; they bring them to these various condominiums and then they have maid service as you saw. In this particular group, there were eleven different maids.

Now, this is not something unique in Hawaii. I have done it in four different countries. I have done it in Norway, Sweden, Denmark and England, and it is lots of fun, and you don't have to get dressed to go down into the lobby. You can go barefooted even if they have never seen barefooted before. It is very informal.

Alright, I am going to give you one more, if I may, Mr. Speaker. This is from the Waikiki Village Hotel. 'I am very concerned regarding the controversy over time sharing. I, myself, would not be on this island if it weren't for time sharing. My joy is basically public vacation of people coming over from all over the world to Hawaii, loving these beautiful islands, enjoying all of their beauty and, at the same time, not having something prohibited on their own pocketbooks.' These people would be denied the chance to come to Hawaii if they had to go in a Hilton, or a Sheraton, and they would be denied an opportunity to see these beautiful islands. They love it, they have a magnificent time; certainly they walk to the beach sometimes, maybe a quarter of a mile, maybe sometimes, across Kalakaua Boulevard.

But, Mr. Speaker, the greatest single part about it is that they have a roof over their heads and they have here something which, for all intents and purposes, in a climate like ours, does not require anything fancy.

Time sharing is a new concept that all of us have enjoyed throughout the United States of America and throughout the world. Why should we, Mr. Speaker, be the first ones to say not regulate time sharing, but destroy it completely, make it absolutely invalid, illegal, and illegal as of the time of approval of this bill.

And so, Mr. Speaker, I would ask you and my colleagues, some from the Waianae area, my people on this side of the aisle, to please vote 'no'."

Representative Blair then rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill very briefly. Basically, Mr. Speaker, I think that this allows us to preserve our options to the maximum.

I would also like the record to reflect the fact that this bill would not impair existing contracts and deprive anyone of existing usages. Therefore, in the case of the housekeeper, a letter, I believe one of them was from a housekeeper, at an existing time sharing unit. Her job, or his job, would not be affected. I think the reason we are getting a lot of these letters is that the people believe that the effect of this act would be retroactive and it would not. The group that would be hit, I suppose, the most directly in employment, would be salesmen, but, Mr. Speaker, I think, having been a salesman myself at one time, if you are a good salesman, there is always a product out there for you to sell. The talent is mutable and transferable to other commodities, so I don't think that the impact on the people would be quite as severe as they have been led to believe. And I think there are an awful lot of very large problems associated with time sharing as it relates to our future in what role resort land will play in our future as well as the mixing problems and inflation problems, labor intensity and many others, and I think, Mr. Speaker, that we should err on the side of caution at this point and pass this bill.

Thank you."

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

"Mr. Speaker, I think the way the bill states that there will be no time sharing allowed, or eliminated, or none in the future, has led to misconceptions by many people of the industry as the Chairman of the Committee has just stated. I think we have all received stacks of these letters. It's probably the best orchestrated objection to anything that I have had in my five years here in the House. And before we had the hearing that suggested that we ban this operation, nobody came forward and said, yes, we need regulations, or we should have some controls of some type of moderation on this technique of overselling a hotel unit.

And, Mr. Speaker, I want to state that during the four and a half hours of testimony we had on this bill, all real estate agents and all employees and members running these so-called clubs were absolutely in favor of this concept and that they couldn't understand why anybody could object to it. We did get a lot of response from residents in mixed buildings that really complained about the idea that they had bought into the condominium units and that some of the units surrounding them had been sold off on a time sharing concept

so that fifty-two individuals would own one unit. Now, if they had bought into residence or condominium thinking that they are going to be in residence and people start moving in all around them as hotel guests for one week, as the previous speaker had stated, a very under-priced guest at that, it does put some stress on the idea that you are living in a residence, and I think this is not the type of thing that we want to encourage.

Now, one thing that our bill does here is to, of course, make it mandatory that we go into conference committee with the Senate. My personal preference, Mr. Speaker, would be to say that we eliminate all time sharing from this point forward and, if possible, to go backwards, but we can't do that so we say from this point forward.

And, as far as I am concerned, the folks that are in the business now, maybe we could find enough money in Jack Suwa's Committee to give them a one way ticket back to the mainland. But I really believe that this type of increase of population here is just the type we do not need in Hawaii. As the Mayor of Maui would say, or has said on many occasions, 'if you have ten tourists with one dollar or one tourist with ten dollars, I prefer that one tourist with ten dollars', and I think that would be the philosophy on which we should operate the tourist business in the State of Hawaii.

Now, if any of you have not been down to Waikiki or Kuhio Avenue recently, it's becoming an absolute carnival, loaded with distasteful types of enterprises -- adult book stores and all the rest of it, and it is a crummy looking district. Now, that wasn't the case fifteen years ago. All time sharing does is proliferate the number of people who are trying to save a buck and go to Hawaii. Now, the next step is to put in the case of beer, your food for a week, and come down here and really take care of that problem, too.

But I really believe the testimony we received showed that in 1974, there were something like 70 units, and in 1978, there are over 400 units now functioning. Now, these units are spread across the landscape, hotel zone areas, private residences, and even in residential areas, private residences are being sold off on a weekly basis. To me, this is not what our residential laws of

the State provide and it is not what they are trying to control as far as limiting the use of residences and residential condominiums.

Aspen Colorado has had some terrible examples of abuse of this time sharing concept and they now allow the sale of condominiums in three months' period or quarterly, and this may be one of the avenues that we could explore here in Hawaii. If people cannot afford a \$100,000 condominium, they can maybe buy a quarter of it. Unfortunately, when they sell off a condominium with fifty-two owners one week apiece, they usually have a \$90,000 unit and sell a 50th second of it for \$4,000 to \$5,000, going up anywhere from \$200,000 to \$250,000 for a unit that is not worth that price.

I really believe this industry cries out to be regulated, cries out to be controlled, and I really believe that this bill is one mechanism we can go in and come out with a final law that will serve the purpose for those in Hawaii who don't want to see just more and more people flock in here all the time. I think a quality of tourist, one that really enjoys, maybe the quieter aspects of the tourist business, would be the type we want.

I, therefore, urge all members to vote 'aye' on this bill.

Thank you."

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

"Mr. Speaker, as originally proposed and amended by the Senate, time sharing was to be regulated through owner consent and greater openness in sales descriptions. Our House version of this bill, however, prohibits all future use of this concept. Mr. Speaker, although I generally agree that society should seek to regulate rather than prohibit certain actions, I do endorse this ban.

Three agencies at the federal level -- the Department of Housing, the Securities and Exchange Commission, and the Federal Trade Commission -- have all expressed their dissatisfaction at trying to regulate this multi-tiered and complex form of property use.

Further, the Director of the State Department of Taxation has estimated that the passage of Senate Bill 1516, in its Senate amended version, would result in an increased workload for that Department of up to fifty times present levels. The Tax Director

also noted the horrendous difficulties associated with the assessment of time shared ownership.

These regulatory problems, as complex and costly as they may be, are not my main concern when supporting this bill to prohibit. The foundation of neighborhood security, regardless of the placement or geography of the time sharing unit, is based on mutual care and alertness. It is impossible for residents to know and recognize, say, fifty other neighbors, from a single unit. The quality of friend and neighbor disappears.

Also damaged, I feel, by time sharing is a mutual concern for property. It is only human to show greater respect and regard for the maintenance of a building or a home for which you are responsible everyday, all year 'round.

Time sharing can never be regulated to the extent whereby it could assure good and thoughtful neighbors.

These problems are especially severe in a residential neighborhood. In Hawaii Kai, there are some units which are being bought with the intent of converting them to time sharing units.

Mr. Speaker, the use of time sharing in that area, and other areas, raises a serious challenge to the formulation of our new State General Plan. Hoping to assure that our functional plans are well conceived and thought out will require time. In the meantime, time sharing represents a total subversion and invalidation of that effort. We are selling our future and our ability to plan, piecemeal. If allowed to continue, Hawaii could literally sell its future by the week, or even by the day. I do not believe that should occur -- not in Hawaii Kai or any other neighborhood.

For these reasons, Mr. Speaker, I urge the passage of this bill, as amended by the House.

Thank you."

At 3:44 o'clock p.m., upon request by Representative Medeiros, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 3:47 o'clock p.m., the Chair said:

"Shall we proceed with diligence, patience and understanding."

Representative Anderson was recognized and he stated:

"Mr. Speaker, I rise to speak against this Senate bill.

Mr. Speaker, everything tells me not to go down on this -- it is more or less a motherhood bill. But nowhere in this bill does it say, other than that they need a study and that, upon approval, it will not affect any sales made prior to. It does not say what happens to anybody that has invested their money already, the construction that has started, and I will agree that there does need some time to be studied, but I don't believe that we should just step in as Representatives and make laws on private enterprise without actually looking at the full effect. I think that the original intent, having 75 percent of the owners in the time sharing building to agree to restrict the area, and other horizontal laws that are there, I think we should look into.

But, Mr. Speaker, just to cut it off and say, no, and that will go into a study doesn't seem very fair. And for this reason, Mr. Speaker, I will have to speak against this bill and I hope that all of my colleagues will vote 'no'."

Representative Kunimura then rose and stated:

"Mr. Speaker, I am a real estate broker -- I haven't used my license in a hell of a long time because of the possibility of conflict, but I have a lot of friends in the real estate industry who would like to have the widest range and opportunity of selling and making commissions. But the more responsible ones that I have known support this measure because they feel that once Hawaii is spoiled forever, there won't be any possibility in real estate business anyway. And for this reason, Mr. Speaker. . . I speak for this bill, that I learned and we learned from the City and County an object lesson, that when they say they shall have a moratorium six months from now, everybody rushes and get their plans all ready and file it before the six month period expires, and you have what you have done at Waikiki.

If there is going to be a study, I would rather see first a stop -- stop everything, study it, and come out with the proper legislation that we can police this type of activity with some sense. But after you close the gate, after the horses have gone out of the barn, it is sheer stupidity and

I, therefore, urge all my colleagues to vote in favor of this bill."

The motion was put by the Chair and carried, and S.B. No. 1516, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING", having been read throughout, passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Anderson, Inaba, Sutton and Ushijima voting no, and Representative Garcia being excused.

At 3:51 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:26 o'clock p.m.

S.B. No. 86, SD 1, HD 1:

Representative Shito moved that S.B. No. 86, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative K. Yamada.

At 4:28 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:29 o'clock p.m., the motion was put by the Chair and carried, and S.B. No. 86, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1303, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 1303, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION OF CHILDREN", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1284, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 1284, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1415, HD 1:

Representative D. Yamada moved that S.B. No. 1415, HD 1, having been read throughout, pass Third Reading, seconded by Representative Honda.

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

"Mr. Speaker, I spoke on Second Reading and I am very pleased with the House draft which has taken care of the very dangerous situation that we had of a denial of bail in pre-conviction, non-capital offense situations, and the amendment provides that bail be denied only if the defendant has threatened the life of a witness and, therefore, I would urge my colleagues to vote for it."

Representative D. Yamada then rose and stated:

"Mr. Speaker, in speaking for the bill, just for the record, the bill is the same as it was when it passed Second Reading."

The motion was put by the Chair and carried, and S.B. No. 1415, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", having been read throughout, passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Fukunaga, Hagino and Uwayne voting no, and Representative Garcia being excused.

S.B. No. 11, HD 1:

Representative D. Yamada moved that S.B. No. 11, HD 1, having been read throughout, pass Third Reading, seconded by Representative Honda.

Representative Sutton then rose and stated:

"Mr. Speaker, again, I would like to speak in favor but bring a reservation."

Directed by the Chair to "proceed", Representative Sutton said:

"Mr. Speaker, I would like to bring out the basic fact that it is unfortunate that our primary election should be the third Saturday in September. It should be the third Saturday in June. We should have adequate time between our primary and our general so that the public can get adequately presented with issues and know who their candidates are for a period of longer than just one month.

Thank you."

The motion was put by the Chair and carried, and S.B. No. 11, HD 1, entitled:

"A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 8)", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1230, HD 1:

Representative D. Yamada moved that S.B. No. 1230, HD 1, having been read throughout, pass Third Reading, seconded by Representative Honda.

Representative Ikeda then rose and requested that her remarks, in favor of the bill, be inserted into the Journal, and the Chair, noting that there were no objections, "so ordered."

Representative Ikeda's remarks are hereby inserted, as follows:

"Mr. Speaker, as passed by the Senate, this bill could have created an intolerable situation of high fines which, if the convicted shoplifter were unable to pay, would have resulted in imprisonment. We could have created, as originally mandated by this bill and noted in your Committee report, a kind of debtors' prison effect.

As amended, however, the judge is now given the discretion to substitute public service at the State minimum wage as a means of 'working off' the fine. This option is consistent with the values of our community and the nature of the crime.

Shoplifting, unlike other crimes against the community, seems to have a high degree of public tolerance. There is a stereotype of the shoplifter as stealing something of little value and almost as a game. Well, that game costs the stores \$25-\$35 million a year. And we all pay to compensate for those losses in the form of higher prices. We also pay as a community with higher taxes to off-set police and court costs incurred by the arrest and prosecution of the shoplifter. We also pay in a more serious way in the long run: to regard stealing as something less than criminal fosters a disregard for the law which may culminate in those criminal activities which we do condemn.

This bill with the addition of the amendments incorporated by the House draft assures full but not punitive punishment. I urge

its passage."

The motion was put by the Chair and carried, and S.B. No. 1230, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", having been read throughout, passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Baker, Hagino, Stanley and Uwayne voting no, and Representative Garcia being excused.

S.B. No. 1049, SD 1, HD 1:

Representative D. Yamada moved that S.B. No. 1049, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Honda.

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

"Mr. Speaker, there is nothing that causes a human being more of an anguish and lack of comfort than unreasonable noise.

This bill which was pushed through by the Joan of Arc of noise in Hawaii, Joan Hayes, who was today being honored and given one of the great commendations for her work is an indication that one individual, really dedicated, can make it possible for others to have a better life, so I urge all my colleagues to vote for this bill."

The motion was put by the Chair and carried, and S.B. No. 1049, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 182, SD 1, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 182, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1591, HD 2:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, S.B. No. 1591, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY COMMISSION AND ENVIRONMENTAL IMPACT STATEMENTS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 181, SD 2, HD 1:

Representative D. Yamada moved that S.B. No. 181, SD 2, HD 1, having been read throughout, pass Third Reading, seconded by Representative Honda.

Representative Sutton then rose and asked whether or not the Chairman of the Judiciary Committee would yield to a question to which Representative D. Yamada answered, "Yes, I will, Mr. Speaker."

Representative Sutton asked:

"Is he fully satisfied that he will not run into the two-time loser situation that happened in the State of California where the statute was declared unconstitutional?"

Representative D. Yamada replied:

"Mr. Speaker, all this bill does is that it puts within the Office of the Attorney General the ability, by rules and regulations, first of all, to define what is a career criminal, and also to give the flexibility to each county to define such, and as to how each county will handle this program."

Representative Sutton then said:

"Mr. Speaker, that is the very concern that I have because it is a delegation of power to somebody who is not a judicial officer. The Attorney General is not a judge and he will be making these policies and criteria, establishing what constitutes a career criminal. . ."

The Chair interrupted and asked:

"Representative Sutton, you are now speaking for or against the bill?"

Representative Sutton answered:

"I am asking the learned gentleman from Kauai a question."

Directed by the Chair to "proceed with your question", Representative Sutton asked:

"I want to know whether he feels that that is an excessive delegation."

Representative D. Yamada replied:

"Mr. Speaker, no, I don't."

The motion was put by the Chair

and carried, and S.B. No. 181, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROSECUTION", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 694, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 694, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY BOARD", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 581, SD 1, HD 1:

Representative Blair moved that S.B. No. 581, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Shito.

Representative Blair then rose and stated:

"Mr. Speaker, just a correction I would like to point out for the record, that the last sentence on page 1 of the Committee report should be ignored. There is no relation to the bill before us."

Thank you."

The motion was put by the Chair and carried, and S.B. No. 581, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

S.B. No. 1430, SD 1, HD 1:

Representative Toguchi requested that action be deferred to the end of the calendar, and the Chair, noting that there were no objections, "so ordered."

At 4:37 o'clock p.m., upon request by Representative D. Yamada, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:39 o'clock p.m.

S.B. No. 599, SD 1, HD 1:

Representative D. Yamada moved that S.B. No. 599, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Honda.

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

"Mr. Speaker, this is the second bill today that involves the retail merchants and shopping centers. I did not speak on the prior bill, but my remarks are basically the same because I believe Senate Bill No. 599, the bill that we currently have on the floor now, is the more important of the two bills.

I believe that Senate Bill No. 599, in spite of the care taken by our Judiciary Committee Chairman, is unconstitutional and it is going to infringe on the right of people to express their First Amendment rights. But what is, I think, even more pernicious is that both Senate Bill 599 and the previous bill relating to mandatory sentencing for shoplifting create two classes of citizens.

On the criminal trespass bill that we have on the floor now, the bill allows people whose conduct is governed by the National Labor Relations Board to be exempted from the provisions of the bill, but what about other citizens that feel that they have to go to shopping centers, or on the premises of shopping centers -- the retail premises -- to express their First Amendment rights which is speech and assembly. I think their rights are going to be greatly endangered by this bill.

And we have created two classes of citizens. It is a denial of equal protection, I believe, and a denial of First Amendment rights; therefore, I urge all of us to vote against this bill.

Thank you."

Representative D. Yamada then rose and stated:

"Mr. Speaker, just for the record, I am speaking for the bill.

Just as people have rights under the First Amendment, this bill also tries to recognize the fact that people who are private owners of land also have rights too."

The motion was put by the Chair and carried, and S.B. No. 599, SD 1, HD 1, entitled: "A BILL FOR

AN ACT RELATING TO THE PENAL CODE", having been read throughout, passed Third Reading by a vote of 44 ayes to 6 noes, with Representatives de Heer, Fukunaga, Hagino, Say, Stanley and Uwayne voting no, and Representative Garcia being excused.

S.B. No. 784, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, S.B. No. 784, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COSMETOLOGY", was recommitted to the Committee on Consumer Protection and Commerce.

S.B. No. 1059, SD 1, HD 1:

Representative Lunasco moved that S.B. No. 1059, SD 1, HD 1, be recommitted jointly to the Committees on Education and Culture and the Arts, seconded by Representative Say.

At 4:42 o'clock p.m., upon request by Representative Uwayne, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:54 o'clock p.m., the motion to recommit was put by the Chair and carried, and S.B. No. 1059, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAU HANA YEARS", was recommitted jointly to the Committees on Education and Culture and the Arts.

The Chair directed the Clerk to note that S.B. Nos. 1451 and 87 had passed Third Reading at 1:40 o'clock p.m.; 1091, 1438 and 1650 at 1:50 o'clock p.m.; 1634 at 1:51 o'clock p.m.; 1752 at 1:55 o'clock p.m.; 1439 at 1:56 o'clock p.m.; 697 and 695 at 1:57 o'clock p.m.; 692 and 691 at 1:58 o'clock p.m.; 1315 at 1:59 o'clock p.m.; 1539 and 2:47 o'clock p.m.; 1238 at 2:48 o'clock p.m.; 1680 and 50 at 3:17 o'clock p.m.; 670 and 42 at 3:18 o'clock p.m.; 1727 and 15 at 3:19 o'clock p.m.; 919, 393 and 9 at 3:20 o'clock p.m.; 666 and 683 at 3:21 o'clock p.m.; 870 and 1753 at 3:22 o'clock p.m.; 1657, 168 and 45 at 3:23 o'clock p.m.; 664, 1682 and 1282 at 3:24 o'clock p.m.; 1043, 1703 and 1492 at 3:25 o'clock p.m.; 1516 at 3:50 o'clock p.m.; 86 at 4:29 o'clock p.m.; 1303 and 1284 at 4:30 o'clock p.m.; 1415 at 4:31 o'clock p.m.; 11 at 4:32 o'clock p.m.; 1230 at 4:33 o'clock p.m.; 1049 and 182 at 4:34 o'clock p.m.; 1591 at 4:35 o'clock p.m.; 181 and 694 at 4:36 o'clock p.m.; 587 at 4:37 o'clock p.m.;

and 599 at 4:41 o'clock p.m.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

S.B. No. 1760 on Third Reading:

Representative Dods moved that S.B. No. 1760, having been read throughout, pass Third Reading, seconded by Representative Masutani.

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

"Mr. Speaker, as I understand it, the purpose of this bill is to follow federal requirements for providing police powers to airport security personnel.

While I can understand the overwhelming desire to conform with federal standards, particularly with regard to the safeguarding of our airports, I have several very real concerns that I feel this bill fails to address.

First, police powers are a very serious responsibility, one that is so serious that it requires legislative action to establish these powers in the hands of any agency. We would be creating, by law, an armed force capable of carrying out any of the powers previously reserved for the police officers of this State. These are powers jealously guarded, and for good reason, because the very basic concepts of a free society require that we control our police forces very strictly and sparingly so that the rights of free citizens are not impaired.

To give these powers to security personnel at the airport is to delegate irresponsibility. The security staff is hired on a contract basis and, as such, are not employees of the State government. They are employees of private firms who owe their first loyalty to the owners of those firms. It's not a question of a county police officer acting on behalf of a government body, but more in the arena of a 'hired gun'. Under this present contract basis, I think it unwise to delegate police powers to those personnel.

Second, the Department of Transportation would be the agency to train these personnel. Is the Department of Transportation qualified to train personnel in handling police powers? The job of the Department of Transportation is to provide for transportation needs -- it has nowhere near the

expertise necessary to properly train police personnel.

Third, the criteria for contracting security personnel at the airport should require the highest standards of morality and integrity.

We want to be sure that we are putting these police powers into the hands of personnel who would pass the test for the Police Department itself, if necessary. More importantly, we want to be sure that these personnel have no ties or even questions of ties with crime of any kind.

We are a gateway state, and through our airports come large amounts of goods, many of which could be contraband. With the wrong kind of personnel given police powers, we could be opening up our airports to being the contraband center of the world.

Finally, if the Department of Transportation knew it had to come up with police personnel for the airports two years ago, why hasn't it spent any time training such people instead of arguing over the issue.

Obviously, there is more to this issue than merely following federal requirements. It is an important one that we should not pass in haste.

I think it needs more work, more attention than it received thus far, and that we should defer this bill until we have made the necessary changes and I urge the defeat of this measure.

Thank you."

The motion was put by the Chair and carried, and S.B. No. 1760, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", having been read throughout, passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Evans, Ikeda, Kamalii, Lacy, Marumoto, Narvaes and Sutton voting no, and Representative Garcia being excused.

S.B. No. 1430, SD 1, HD 1, on Third Reading:

Representative Toguchi moved that S.B. No. 1430, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Sakamoto.

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

"Mr. Speaker, the purpose of this measure is to amend Section 188-25 of the Hawaii Revised Statutes to permit the sale of fish legally taken with a spear. Under current provisions of law, the sale, or offering for sale, of any speared fish other than sharks, menpachi, uhu and kumu are prohibited.

Mr. Speaker, the intent of this bill is twofold: First, it will provide current and potential commercial fishermen with equal treatment under the law in determining alternative means in harvesting fish from our local waters.

Secondly, this measure will allow the Department of Land and Natural Resources to evaluate the impact of commercial fishing on the reef fish resources and its environment. Currently, Mr. Speaker, comprehensive analysis and evaluation cannot be performed without first removing the restrictions imposed by law on the sale of speared fish because the commercial fish catch reporting system of the Department of Land and Natural Resources provides statistics only on fish species permitted under law. Therefore, data is not available on speared fish except on the four fish species currently authorized.

Mr. Speaker, existing law forces commercial fishermen to either trap, net, or hook fish, because they cannot sell speared fish except for kumu, uhu, menpachi, and sharks. Trapping, netting, and hooking are non-selective methods of harvest. Too often, inedible, undersized, out-of-season fish are taken. Net fishing is the most non-selective and indiscriminate method of harvesting fish resources. Spearfishing, on the other hand, is the most selective method, because divers see the available fish and spear only the most desired ones. Under this measure, catch limits, size, and seasons will still be imposed, as is currently with other fishing methods.

Mr. Speaker, commercial fishermen want to selectively take marketable fish from their nets or traps and release unusable ones. This can only effectively be done with a spear. However, speared fish cannot be legally sold, so commercial fishermen are forced by law to waste a natural resource. In order to harvest marketable fish from nets or traps, fishermen must retrieve them and empty the entire catch into the boat or on the shore. They sell the legal ones,

keep some for home consumption, and throw the rest away. This, Mr. Speaker, is a terrible, unnecessary waste and an illogical approach to fisheries management.

In addition, Mr. Speaker, speared fish are not a health hazard. The Department of Health has stated that speared fish are no more susceptible to contamination than hooked or gaffed fish. Proper storage insures healthful, quality fish. The Department of Land and Natural Resources has in past testimony before the Legislature stated that they know of no valid reason for not permitting the sale of speared fish.

Mr. Speaker, in conclusion, I would like to state that conservation as compared to preservation of our natural resources should be the primary objective of this honorable body. And rather than legislating the use of our fish resources after it is removed from its environment, the taking of fish should be regulated if there is a need for limiting the harvest. However, we must first determine if there is a need to limit the harvest.

Mr. Speaker, this bill would allow us to do this, so I urge all of my colleagues to vote 'aye'.

Thank you."

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

"Mr. Speaker, last year, the people of this State ratified Article XI, Section 1, of the Constitution of the State of Hawaii.

Section 1 states: 'For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State.'

I submit that Senate Bill 1430, Senate draft 1, House draft 1, is contrary to the intent of this section of the Constitution for the following reasons:

First, the lifting of the prohibition against commercial sales of speared fish will deplete our reef resources and upset the reef ecosystems. Act 185, which allowed the sale of u'u, uhu and kumu taken by spear, was passed in 1977. After the passage

of this law, DLNR fish catch report statistics reveal that the total catch for these three species increased as follows: For kumu, from 10,400 pounds in fiscal year 1976-1977 to 15,400 pounds in fiscal year 1977-1978; for uhu, from 5,600 pounds in fiscal year 1976-1977, to 18,900 pounds in fiscal year 1977-1978; and for u'u, or menpachi, from 27,900 pounds in fiscal year 1976-1977 to 59,200 pounds in fiscal year 1977-1978.

In other words, the commercial landings increased by 50 percent for kumu, more than doubled for u'u, and tripled for uhu. These figures are all the more alarming because they occurred during a one year period after the ban was lifted. What might be the result after five years, as is provided in Senate Bill 1430, Senate draft 1, House draft 1?

Moreover, the fact that these three species could be landed by spear did not diminish the use of other methods of fishing, such as nets, traps or handlines. In other words, spearfishing has not proved to be a substitute for other fishing methods, but rather, has become an additional means. Thus, the lifting of the ban will surely hasten the exhaustion of our reef resources.

Mr. Speaker, it is not prudent at this time to escalate the utilization of our reef and near-shore resources. Presently, we do not even have data regarding the size of our current reef fish populations, the amount of time it takes for renewal of the fish populations, or the amount of fish that can safely be taken without adverse impact. Everyone agrees, however, that our reefs are overfished and that there are far fewer fish in our waters now than there were in the past. Yet, under the provisions of this bill, we will be endorsing the approach of depleting a resource until it is almost gone, and then being forced to take drastic and expensive measures to preserve it.

Finally, I oppose this bill because it is inconsistent with our traditional and emerging values. Reef fishing for family consumption is a tradition, a part of Hawaiian culture that has survived countless generations. Recreational spearfishing is a past-time cherished by many of our citizens, young and old. And the ocean and its reefs are finally, today, being recognized as a marine classroom.

If we pass this bill today, we will be saying to future generations in Hawaii that these values are not as important as that of economic gain. For these reasons, I urge all of my colleagues to vote against Senate Bill 1430, Senate draft 1, House draft 1.

Thank you."

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

"Mr. Speaker, this bill repeals the present law which prohibits selling, commercially, speared fish except certain species, namely, uhu, kumu and u'u. Should this bill be enacted into law, spear fishing for commercial purposes will be wide open for five years with no limitation as to species or bag limit.

Present law does not prohibit spearing of fish for home consumption, nor does it prohibit anyone from giving speared fish to friends or relatives.

Existing laws express our basic philosophy of conserving our fish resources through reasonable limitations on certain net fishing and commercial spear fishing. We have also enacted laws creating kapu seasons for certain species such as mullet, halalu, lobsters, crabs and others.

Mr. Speaker, with the continual improvements in fishing technology such as aqua lung, diving suits, mechanical spears and others, a spear fisherman can remain underwater for a long period of time. A team of commercial divers can really deplete the fish population in areas targeted.

I ask you, Mr. Speaker, to please consider what happened to the fish population along Oahu's shores. Enactment of Senate Bill 1430 will add another means to further diminish the fish population along our shores.

Mr. Speaker, until such time when conservation areas are established on a rotation basis, passage of Senate Bill 1430 is premature. We should proceed cautiously. If I may, Mr. Speaker, I would like to ask all of you to consider carefully what impact the passage of this bill will have three, five, ten years down the line. I am concerned that a time will come when our fish population will be such that even to spear fish for home consumption will be minimal or a thing of the past.

Therefore, Mr. Speaker, I urge all of you to vote 'no' on Senate Bill No. 1430.

Thank you."

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

"Mr. Speaker, we have been wrestling with this problem for the past eight years. I have heard numerous problems tossed here and there and, personally, Mr. Speaker, if we are very serious about being conservation minded, then all methods, other than spearfishing or the use of a spear, should be eliminated.

Mr. Speaker, we talk about the Hawaiians long ago. Most Hawaiians, when we weren't here, Mr. Speaker, didn't have any nets -- okay? They went out to spear fish. Spearfishing is one of the most selective ways of harvesting our marine resources.

Mr. Speaker, as one who has gone diving many times, although never commercially, I have a lot of commercial friends. Mr. Speaker, today, a commercial fisherman is a specialist in his field. In most cases, the scuba divers that my colleagues have been mentioning that are going to deplete our resources are not using spears, Mr. Speaker. They are using nets. Believe me. I have seen, as an example, Mr. Speaker, a team of four guys going on dive boats with their tanks and very little spears, but a lot of nets. They work the nets under the water; they harvest whatever they want; and as I said, netting is non-selective and it takes just about anything that hits the net or sticks within it. And you know, Mr. Speaker, if a guy using an aqua lung can stay under forty-five minutes with a spear, believe me, Mr. Speaker, he is lucky if he is going to get enough fish to make his money back on what he spent just buying gasoline to go out that day.

You know, getting back to the point that they are going to deplete our resources, Mr. Speaker, most of the aqua lung divers. . . I very seldom see a commercial guy diving off Waikiki, trying to catch enough fish to sell to the markets. Believe me, most of these guys are diving in forty to sixty feet of water and even you and I can't go that deep. The only ones that I see using aqua lung within the reef area are usually the guys that came from the mainland and he is trying to learn how to scuba dive and I don't see them as being a threat to our environment as far as our reef shore. And the only way you are going to control

it is by controlling the taking of all fishes by all methods, and if we are really sincere about going that route, then I think we should wipe it all out and not just say, spearfishing is going to eliminate all of our resources among our reefs.

I urge all my members to vote in favor of this bill."

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

"Mr. Speaker, we have heard arguments about the tremendous amount of damage that can occur on our reefs, the loss of a whole group of fish. We have heard that from an environmental point of view that this violates the Constitution, but the Constitution, somehow or other, implied that there would be no spearfishing on our reefs. This has gone on, Mr. Speaker, for over 300 years and Hawaiian culture shows that this is the means that they caught fish.

Now, Mr. Speaker, we are not doing something radical; we are not doing something anti-environmental; we are just allowing the amount of excellent fish to get into the market and get into the homes, and we have an excellent type of market.

Mr. Speaker, there is no proof that the cause for loss of fish around Oahu has been caused by any type of fishing. Look at what we have done on dredging canals and channels, making harbors, and subdivisions. This is what causes the trouble. In the old days, there was nothing at Hawaii Kai. There was a natural fishpond and it floated out to sea. Now, we have an immense amount of pollution going out from the highly densified urban areas.

It has nothing to do with spearfishing, nothing to do with fishing per se. We must not attribute the wrong thing we have no study to prove it. What we are doing is allowing the commercial fishermen to make a legitimate catch of a type of fish that when it gets into the market is very highly desirable.

Mr. Speaker, when we spear fish, if you are not clumsy like I am -- I sometimes take two shots to kill it -- but the average good fisherman makes it very clean and it is not contaminated anymore than a gaffed fish or a hooked fish.

Now, Mr. Speaker, there will be a great variety of fish that will be available to consumers because certain

species of these fish can only be harvested by spear and we are missing it. And what happens to those fish that we don't catch? Well, I will tell you what happens, Mr. Speaker. They either go out and are caught by sharks or they die, so why not spear them.

Mr. Speaker, I would like to bring one basic point out. We live in a group of islands in the middle of the Pacific and fishing has always been part of the diet -- it's a wonderful part of the diet. There is nothing that is better for people than eating fish. We have a great many Catholics in Hawaii and they can have fish on Friday this way. Mr. Speaker, for ten years, I was a judge down in the U.S. possessions. I never held court on Friday -- I just went spearfishing.

Mr. Speaker, it is a shame that we have not allowed this sooner. Let us get this on the books, let's get it in the markets, and let us get it in home consumption, and let us allow ourselves to live as we should live in tropical islands way out in the middle of the Pacific. Let us not adopt some phony theory of the Sierra Club that was meant for the Sierra Nevadas, not for the blue Pacific.

Thank you."

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

"Mr. Speaker, putting a dollar value on our fish that presently exist in our surrounding water, in my best estimation, will ultimately result in a drastic decrease in its population. What is the result of such a decrease in our fish population? Will there be, in fact, a decrease? Do we have sufficient data and statistics that can accurately measure the effect of commercialization of such a commodity?

There is a considerable amount of variables concerning the impact of this bill, and until I can accumulate a sufficient amount of evidence that this bill will not adversely affect our environment, I ask all members of this House to seriously consider the defeat of this bill.

Thank you."

Representative Kawakami then rose to speak against Senate Bill No. 1430, SD 1, HD 1, stating:

"Mr. Speaker, over the years, your Committee on Water, Land Use, Development and Hawaiian Affairs has tried to achieve a balance between the needs of recreational and commercial fishermen. Toward this end, we've worked very hard to control the harvesting of our marine resources through reasonable conservation measures. For example, we have outlawed net fishing in certain bays throughout this State. These include, by statute and departmental regulation, six bays on Oahu, four on Kauai, three on Hawaii, three on Maui, and one on Lanai. In fact, Mr. Speaker, only a few weeks ago, this House passed a bill expanding the off-limit boundaries at Pokai Bay. Furthermore, the Department of Land and Natural Resources is presently looking at additional bays on Maui and the Big Island to prohibit net fishing in these areas.

Another example, Mr. Speaker, is our on-going Kapuku Program. It is in a pilot project stage here on Oahu and has been set up along the coastal area between the Kapahulu section of Waikiki to the Lighthouse along Diamond Head. This shoreline area is presently closed off to any kind of fishing or taking of marine life. I would like to remind the members of this House that this concept did not appear overnight. The Division of Fish and Game took four years to implement this pilot program because it required a base-line study to determine what exists there now, and the numerous public hearings that were held in the implementation of the Kapuku Plan. Any of you here who have attended fish and game hearings know how controversial and emotional these meetings get when it comes to any proposal to control the taking of marine resources. It took a lot of time and effort just to get the program where it is now, and I personally feel that the Kapuku concept is a good one and will pay off in the long run.

Our Committee has also taken action on House Resolution 174 this session, which requests State agencies to review fish and game regulations and make recommendations to strengthen penalties and to improve enforcement. This includes those relating to the control of spearfishing.

Whereas, Senate Bill No. 1430, SD 1, HD 1, goes directly against all of our efforts to sustain as much of a balance as we can in our ocean resources, the Legislature, in its wisdom, tempered the total prohibition on the sale of speared fish two years

ago by allowing three species to be speared and sold in the open market. We still do not know what the exact impact will be on the population of these three species. I say we need to wait and see, to study and analyze the results of our various efforts to balance the taking and replenishing of our natural ocean resources.

So, Mr. Speaker, this Legislature should not tamper with anything that will affect on-going efforts to preserve and protect our shoreline resources. The prohibitions we have right now are all interrelated to our overall goal of achieving a balance between recreational and commercial fishing.

This integrated approach comes down to us from the ancient Hawaiians who were great conservationists. Their kapu systems, social organizations and religious beliefs were all interrelated toward the goal of conserving and renewing the resources of the land and the sea. Today, this power is in the hands of those of us here, in the State Legislature. Let's not abuse it.

Therefore, Mr. Speaker, in trying to perpetuate our natural marine resources for the public to enjoy, I would like to share a very simple philosophy that we should all follow, and that is: 'Let's leave some for the next guy.'

Thank you."

Representative Toguchi then rose and stated:

"Mr. Speaker, as Chairman of the Ocean and Marine Resources Committee, I would like to say a few words and also correct some of the misinformation or the wrong interpretation of some of the statements that were made by earlier speakers who are against the bill.

Mr. Speaker, I speak in favor of the bill.

First of all, I would like to point out to this group here that the passage of this bill will not create something, as some of you interpret as wide open, no limitation, and I would like to point out some of the things, and I had planned to bring it up, and I think the Representative from Kauai brought up for me some of the other controls that we have so although he says that contradicts what we are trying to do here, I

would like to let you know that that supports what I am trying to say here, that we have other controls.

In addition to that, I would like to mention briefly to you Section 188-40 which is entitled: 'Minimum sizes of fish.' And in this section, there is listed sixteen different species of fish; for example, aholehole or manini. The prohibition here -- let me read it for you: 'It shall be unlawful for any person to sell, or offer for sale, or for any peddler or dealer in fish to have in his possession any. . .' and they go into the different kinds of fish -- 'aholehole or manini, less than five inches in length; mullet; moi; weke; moana; or kumu, less than seven inches in length. . . ' and it goes on and on and on, as far as the minimum size of fish.

Now, one of the previous speakers pointed out some of the statistics on kumu, uhu, and u'u which is menpachi.

Now, Mr. Speaker, I am a former schoolteacher who majored in math and I can tell you that I can use statistics any way that I want, and let me point out to you what I mean. For example, on kumu, uhu, and menpachi, it is natural that the catch will increase because we are adding spear. And I think it was pointed out that kumu went from 10,400 pounds to 15,400 pounds; uhu, from 5,600 pounds to 18,900 pounds, and at the same time, I would like to point out to all of the members here, and I have the statistics here, that uhu, net fishing, it increased by a hundred percent the same year that she mentioned, that it increased when they opened the season up to spearing. So all I am saying is that if you look at the statistics that I have here which was discussed earlier, I would like to point out that the increase was not mainly because of spearfishing. For example, the uhu, net fishing increased from 3,800 pounds to almost 8,000 pounds, and this is by net fishing. Trap also increased by a hundred percent, hand-line also increased by another hundred percent. Let's go down to menpachi -- hand-line menpachi, from 19,000 pounds all the way up to 26,700 pounds. So all I am saying here is that the increase was not only because of the opening up to spearfishing the three species.

I would also like to point out that as far as the House draft, the House amended the Senate draft because we had some concerns that some of you are voicing here this afternoon, and we had included within the bill itself, the Senate bill, what some of

us call the 'drop dead' clause. Although it is for five years, that doesn't mean that we can't review it also next year or the following year, and after discussion with the Department of Land and Natural Resources, I had even suggested three years and they said they needed five years in order to evaluate, and we are not going to be waiting until, as some of you pointed out, that there is an adverse effect. We will be reviewing it every year. And I know I will, next year, in my Committee -- we will be looking at whatever information the Department can provide us.

So again, in summary, I would like to point out that the previous speaker, in pointing out all the different things that we are trying to do -- the net fishing bit and some of the bays, the Pokai Bay, the closing of the new groin that has been constructed there, or the break-water, the House Resolution 174 -- I supported those measures. In fact, I introduced most of those measures and I feel that they are not in contradiction but they are additional controls that will help and are not contradictory.

For those reasons, Mr. Speaker, I would like to ask all the members to support Senate Bill No. 1430, Senate Draft 1, House Draft 1."

Representative D. Yamada then rose to speak against the bill, stating:

"Mr. Speaker, rather than going and restating what the prior speakers in opposition of this bill has stated, I would just like to make one comment, and that really has to do with the fact that there is a 'drop dead' clause in this bill. It seems to me that the 'drop dead' clause is an indication that there is some doubt on the part of the Committee. And the mere fact that there is a 'drop dead' clause, I feel is an imprudent way of legislation because I feel, Mr. Speaker, I feel what good will it do us if we say we made a mistake when it is all gone.

Mr. Speaker, I urge all members to vote against this bill."

Representative K. Yamada then rose to speak against the bill, stating:

"Mr. Speaker, in stating the purpose of what I am going to say, I would like to borrow the comments of one of our Representatives from last week, in dealing with Senate Bill

No. 625, Senate draft 1. For those of you who don't recall, that was a bill which included marine plants and seaweed under commercial fishing regulations. Mr. Speaker, we found it necessary last week to regulate the taking of seaweed, and today, we are going to take an opposite stand and actually permit the taking, or the selling, of all speared fish.

Mr. Speaker, last week, the individual who got up said, 'Limukoho, you can't find 'em on Oahu today -- it's gone. We have to bring 'em in from Kauai.' The comments that he made, Mr. Speaker, is that if we don't regulate, we won't have anything for our children, and I agree with that. That is the purpose of my getting up to speak today, Mr. Speaker, and in doing so, I would like to review some of the comments that were made earlier. But before I do that, Mr. Speaker, I would like to refer to the testimony from the Department of Land and Natural Resources. They came out strongly in opposition to this particular bill, Mr. Speaker, and I would like to read part of their testimony into the record.

They said: 'In view of the significant impact that spearing is making on the commercial fish landing of the three species, we feel that the removal of the prohibition on sale of all speared fish is premature. Further, the spearfishing method generally involves the removal of reef fish from their protective cave and crevice habitats. To allow sale of all fish species taken by spear may, on a long term basis, produce adverse impact upon our reef fish population and the fishery. The Department, therefore, does not support House Bill No. 1184.'

This is the companion measure which was heard by our Committee this year. Mr. Speaker, I find that very sad indeed, that we would disregard that advice from the Department of Land and Natural Resources, those who are considered to be experts in this area.

Also, in reviewing some of the comments that were made earlier, Mr. Speaker, I heard by the first speaker that commercial fishermen today, because they cannot sell speared fish, are wasting them. What was his remark, that they have to leave them on the beach? Mr. Speaker, I hope I didn't hear that because these are the very people -- you are going to permit them to spear and sell the fish. If they can do that in wanton disregard of laws today, what do you suppose will happen when you permit them to sell all speared fish?

I think the comments that were made earlier are very relevant, Mr. Speaker. It is a question of economic gain versus conservation. And I agree with those remarks.

Yes, Mr. Speaker, netting is a very efficient method of harvesting fish, but that is only if you are talking about areas which are unharvested. If you don't have any fish, like, for example, on many parts of this island to harvest, and net fishing is an effective means, then, are you going to compound the problem by permitting another very effective means of harvesting fish? If the problem is the fish population, then isn't it incumbent upon this body to protect them?

Yes, Mr. Speaker, the Hawaiians of long ago actually were the first conservationists, and I have heard that mentioned several times. But, you know, one of the things which they failed to remember is that the Hawaiians of ancient days only took the fish which they could use and if they couldn't use it, they didn't take it. That is not what we are talking about today. We are talking about wholesale harvesting.

For these reasons, Mr. Speaker, I ask all of my colleagues to vote against this bill."

Representative Say then rose on a point of personal privilege "as far as the last speech given on this floor."

Directed by the Chair to "state your point", Representative Say stated, "that the speaker before me who just spoke on this measure has been on television as far as surrounding these fishes also. . ."

The Chair then interrupted and ruled Representative Say out of order, saying:

"There is no relevancy in this . . ."

Representative Say interrupted and said:

"I believe there is some relevancy to this."

The Chair then said:

"The Chair will allow you to speak for or against the measure, Representative Say."

Representative Say then said:

"Mr. Speaker, I rise in support of this measure."

The Chair stated:

"The Chair will recognize you for that purpose."

Representative Say stated:

"Mr. Speaker, talking about conservation this afternoon, I really appreciate what everyone has said. But I, as an avid skin diver myself, not a scuba diver but a skin diver, diving twenty to thirty feet without a scuba tank, I appreciate what I am doing -- skin diving.

I would like to say, as far as the opposite of the coin in terms of spearfishing, I wish a great deal of you would go down eighty to a hundred feet and see what some of these recreational divers do, as far as having their bang sticks and their clorox bottles and just kill these fishes in those particular holes.

Spearfishing is a selective type of approach as far as getting what you want to accomplish and I, for myself, am particular in what I spear also. Take, for example, when I go diving a lot at Makapuu -- from Makapuu Beach Park to Black Island -- is twenty feet to twenty-five feet, and there is a lot of kumus, there is a lot of uhu, there is a lot of papio, moana, weke on the bottom, and this is the challenge I have, as far as skin diving with my lungs, with the fish in trying to spear them in their particular holes.

When people on the floor talk about these commercial fishermen are going to wipe them out, I really disagree with them because most recreational divers do not go as far as a hundred feet for commercial diving or spearing. These are the commercial divers, I believe, who are not very selfish but very selective in what they spear. Take, for example, a case one of my friends told me at Waianae -- past Pokai Bay going out towards the silver dome or white dome that is on the Waianae Range, maybe a mile out and the water is 120 feet. These people who go down and dive for these particular menpachi, kumu, weke, have a certain amount of air in their tanks, and I don't see how they are going to be spearing these small fishes which are not going to be sold because they will be fined, and how members here can say that we are just going to destroy

the ecosystem.

Secondly, I would like to say that for different types of fishes, there are different approaches in catching them. Take, for example, the parrot fish which I really enjoy eating myself, steamed. You can't hook them -- you just can't hook them. They are not going to bite the hook and line.

And, if we are talking about conservation here this afternoon, I believe what we should get rid of is the nets first. These are the ones that are catching all of these fishes -- the small ones and the big ones. You leave it overnight, you pick it up next morning, it is already dead -- the gills are already white. They don't meet the specifications for being sold too. We talk about conservation, let's get rid of these nets first.

Thank you."

Representative Uwaine, at this time, rose on a point of information and asked whether or not the Majority Floor Leader would yield to a question, to which Representative Yamada responded:

"Mr. Speaker, I am not a member of the Committee. I didn't have the pleasure of discussing the bill in Committee, therefore, I don't think I am in a position to answer any of his questions. I do not yield."

Representative Uwaine then said:

"Well, Mr. Speaker, maybe you can answer my question. May I proceed?"

Directed by the Chair to "state your point", Representative Uwaine asked:

"Mr. Speaker, I am somewhat confused. I just wanted to find out from the Majority Floor Leader if he is speaking in behalf of all the Democrats, or is he speaking in behalf of. . ."

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

"Mr. Speaker, every individual has a right to state his or her position here, regardless of title."

The Chair answered:

"That is correct."

Representative Uwaine then said:

"Mr. Speaker, my point of information is, was the gentleman from Hilo speaking in behalf of the democrats as Majority

Floor Leader, or as an individual legislator from Hilo."

Representative K. Yamada then rose and stated:

"Mr. Speaker, I will yield to that question."

Mr. Speaker, I believe that I disclosed to those individuals that had interest in this particular bill before us, including the Chairman of the Ocean and Marine Resources Committee, that I was opposed to this particular bill and, therefore, I would not act either for or against it while it was in Committee, or in the Policy Committee, but that when the bill came down to the House floor, I had intended to vote against it and to speak against it. I do believe that I had disclosed that to also the Majority members, the leadership of this House, as well as to most of the other Committee members from the Ocean and Marine Resources Committee who are interested in my particular stand on the bill."

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

"Mr. Speaker, I had intended not to say anything because I thought my war to keep as much of old Hawaii in the ocean preserved as long as I could, but several years ago, I gave in to three species and I knew that wasn't going to be the end of the demand; rather, the beginning of the rape and here it is.

You know, it hurts me deeply when people on this floor make reference to the Hawaiians of old days, you know. What Representative Yamada said is very, very true. Yes, they used spears, but they took only what was necessary and what was needed, and they shared. They didn't have supermarkets; they didn't have great big fishmarkets, Mr. Speaker; they didn't have great big boats followed by powerful diesel and gasoline engines that could go miles out; they didn't have artificial breathing devices. We should stop, take note and learn from the people who were here first because if you go and search the world over, the Hawaiian people are the true pioneers in conservation, the true pioneers in preserving and being the best stewards of what God gave us.

Mr. Speaker, many years ago, when I was first elected to office, I supported the condemnation, and the acquisition through condemnation, the fishponds and all the konahikis, and I felt it was wrong for some people to hold and control. Now, I know why I was

grossly wrong because that's what the Hawaiians knew way before we even thought about it.

I am not against spearfishing. As a matter of fact, if that's the way people want to make a living, we should let them do it. But we should balance it. We should have equal protection for the fish. We should have this law here enlarged so that there will be sanctuaries created so that the fish can propagate and overflow into other areas -- a whole bill, not half a bill. This way, before we can take corrective actions up to five years, it may be too late. I say, why not wait until next year and bring in the other bills that's necessary and cause the Department of Land and Natural Resources to create more Hanauma Bays through sanctuaries so that nobody can touch these fish unless they go outside, and then we got a comprehensive conservation and fish-taking laws.

But today, this is premature, because once this goes on the books, as the Chairman tried to assure that they will be monitoring. . . I have seen laws get on the books pretty hard because it takes two houses to amend or repeal; the forces are too powerful. If you are really not sure of what you intend to do, don't put it on the books. Have a good study, and maybe, in that way we can all profit instead of having this kind of silly idea come before this Legislature at this time.

I therefore urge, Mr. Speaker, that those who love Hawaii, those who believe in conservation, and those who believe that our children and their children's children should enjoy just as much as we enjoy Hawaii today, vote against this bill."

Representative Anderson then rose and stated:

"Mr. Speaker, as a member of the Committee, I am going to have to speak in favor of this bill.

I have been listening to a lot of testimony and I am also for what I believe is good legislation, and being part Hawaiian, I don't think the Hawaiians ever knew that there was such a word as conservation. They just did it, and that is why I am interested in this bill.

I heard our previous person mention the limu. The only reason we passed that is because people did not know

how to pick it and we are trying to conserve it so that we can teach them. That is the only thing.

On this fish bill, Mr. Speaker, I believe that it is the most selective way to catch fish, and if you would look across Iolani Palace, at our alii across there, he doesn't have a net in his hand, it's a spear. So, Mr. Speaker, I don't think that net fishing, trap fishing, is a very selective way. I think that if we went along with this spearfishing with a drop dead clause of five years, I think that it is in the fair position of conservation. I don't believe that in testimony the Department gave us a clear-cut idea on, if we are depleting in any way the three fish that we now have on the statutes, they are just telling us what we have caught. When we were asking them, is this in any way depleting these certain species, they didn't have the answers and they had three years, I understand. Now, we are giving them five years. I think that's fair.

So, Mr. Speaker, if people are going to talk about old Hawaiians and conservation, I think that we are pointed in the right direction, and I wish that they would go along with the Committee report.

Thank you."

Representative Toguchi then rose and stated:

"Mr. Speaker, I rise again to speak in favor of the bill. I would like to again say that I hope all of the members can sort through the facts and all the emotional arguments that have been raised here this afternoon. I would like to also point out to the members here that I did attend all the meetings that we held. As Chairman of the Committee, naturally, I attended all these meetings.

And I would like to make reference to the previous speaker who brought up the testimony by the Department of Land and Natural Resources. If the previous speaker was in the Committee meeting, he will also know that after questioning by different members of the Committee, the Chairman of the Division of Fish and Game admitted that many of the things that he said were pure conjectural -- he doesn't know.

I would also like to make reference to other statements that we should not support this bill because we are going to be going and removing the fish from its habitat. Naturally, where are we going to take the fish from?

It must be its habitat because no matter what method is employed -- spear, net, trap or hook -- we are going to be taking the fish out of its natural habitat.

I would also like to point out to the members here that House Resolution 174, and that was passed recently, was to tighten up on the fish and game rules and regulations to stiffen the penalties and that resolution was asking the Department to enforce the rules and regulations and the laws that we have presently on the books.

And, really, when we talk about depletion or not having enough fish, or we might get to the point one day, the key is not really the methods that are being employed or will be employed to harvest, it is what they do because you can take. . . the argument keeps coming up here about net fishing. I know there are people that will use nets in a wise and in a manner that will preserve the conservation of the fish. But just this weekend, I had an opportunity to be at the Heeia-Kea Pier in Kaneohe and I saw this boat unloading about twenty something, I would say about twenty-five, tanks and I thought they were strictly divers, but also coming out of the boat were fish and the nets. And I went up to them and I asked them, 'How do you folks manage to catch all the fish that you have on the boat?', and by the way, it was red weke, and they said, 'Well, since many of the fish we can't spear so we go down and with our tanks, we put the nets around the hole and we go in and we chase the fish out into the nets.' Okay?

And, really, it is not the method. I think it is how they do it many times with the different methods and I would like to just close with that and, again, I urge all the members to support this bill."

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

"Mr. Speaker, I don't know who said what, when, because we have been here a long time about it so I will address myself to how I feel about this bill rather than who said what.

I believe the fish/catch reporting system that is now functioning in the State is very inadequate. We have a lot of numbers up and down, sideways and in and out, but it

really doesn't report the whole story. Many fishermen now sell speared fish illegally and these individuals have been selling illegally for years. We used to have a Senator now who used to sit right here, John Carroll, who says he made his living here when he first came here, selling speared fish. There are many others who are doing the same thing. Now, we are saying that it is okay to sell it and that means that more and more people will start selling fish illegally. Now, I am saying that this is a thing that is going on around us now and it is just going to proliferate and become another pressure on this resource. Net fishermen will continue to throw away fish too small to sell. They will continue to catch them. Fish trap will be thrown away if they are too small and they will continue to be thrown away when spearfishing is opened up.

I believe that before we open up a new pressure, we should close down some of the old pressures -- some of the ones that have been in process for years.

Spearfishing in the old days and spearfishing now is not the same thing. I can remember when I started spearfishing, it was cutting out a piece of fence wire and filing in a little notch, then getting a truck inner tube and making a spear sling out of it. That is not the process that is happening now. There are all kinds of sophisticated implements that are now being used and there are far more fishing and far more, you might say, lethal to the whole population. Living there on Diamond Head for over fifty years and fishing in that same area for over fifty years, I can tell you, I don't have to read any statistics or look at any lists of fish that are there or used to be there, there are not any fish in those areas.

Now, we heard about the Kapuku Plan that we tried to get in for the last six years. This was a closing down of all fishing from Kapahulu groin to Black Point. This went through public testimony, through hearings, and the result of that ideal closing of that stretch of water was compromised so that we have only half of it closed now. This is the type of thing that is going to happen.

Rather than have a ban and a five-year drop dead clause, we are going to have an awful lot of pressure on us to continue this so-called economic lifestyle for a whole bunch of new fishermen who don't have it at this

time. I believe that once we open up this so-called economic lifestyle, we are going to cause a Frankenstein here that will be very hard to turn off. Rather than do that, I believe we should say, okay, come back again next year and go over a total evaluation of the problem. We definitely have a reduced -- greatly reduced -- asset on our reef shores on this island. It is just a step away from being reduced on the outside islands. Once we get commercial fishing in, there will be commercial fishermen on the neighbor islands, spearing and sending to this market here, unlimited numbers of fish that they have not caught by this method.

I really believe that opening up this type of 'sport fishing' to a commercial operation will put additional pressures on the remaining populations. I can remember that; not too many years ago, there used to be torch fishing on the shores along the sides of the islands in the areas where the water was shallow. These people were spearing menpachi, aweoweo and kumu, squid. Nobody torch fishes these areas anymore for the simple reason that there's not enough fish to get out there.

Now, I can't see any way that commercially allowing the spearing of fish anyplace is going to improve the ecology and improve the numbers of fish in our areas around the islands. Therefore, I say we should hold back on this bill and wait until next year when we can look at the whole thing, assess the pressure that spearing is giving, assess traps, nets and pole fishing. Now, if we agree that we should allow spearfishing, let's say, okay, one-half of the island or sections all around all the islands will be disallowed where no fishing will be allowed and look at it from that basis.

That is what I would like to see done, and I hope my colleagues here will go along with that.

Thank you."

Representative Kawakami then rose and requested a roll call vote on this measure.

Representative Narvaes then rose and asked whether or not the Chairman of the Ocean and Marine Resources Committee would yield to a question, to which Representative Toguchi answered, "Yes, I will."

Representative Narvaes asked:

"Mr. Speaker, I have a concern about eels. I don't know if eels are fish or not. Is an eel a fish?"

Representative Toguchi answered:

"No, it is not addressed as far as in this bill. It is not related to that. This bill is not related to that topic. Maybe you should direct that to somebody else."

Representative Narvaes then asked if the Chairman of the Water, Land Use, Development and Hawaiian Affairs Committee would yield to a question because "maybe he would know if an eel is a fish or not. I am really in a dilemma; I like to eat eels and it is hard to find them. . ."

Representative Toguchi then interrupted and said:

"Mr. Speaker, I misunderstood your question. As far as the eels, yes, it is categorized as fish. For example, we have the white eels and the moray eels and that's in the fish category. Did I answer your question?"

Representative Narvaes then said:

"Mr. Speaker, then . . ."

The Chair interrupted and stated:

"Representative Narvaes, I believe the question was answered. Your question was whether eels are considered fish and, therefore, under this bill, it can be speared and sold. The answer is yes. If you have another question, proceed."

Representative Narvaes then said:

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

Mr. Speaker, this bill will allow eels to also be speared and thus become accessible for food and for home consumption. I think that's another reason that we should be favoring this matter here. Right now, it is very difficult to capture an eel by net, you know, they are very slippery little animals and can easily escape.

Mr. Speaker, I also find this argument today quite ironic. You know, two years ago, we had a bill before us and that bill was to allow the importation of the unagi eel, and the argument at that time was basically the same. . ."

At this point, Representative Kawakami rose on a point of order and stated:

"Would you please have the speaker confine his comments to this bill."

The Chair then said:

"Representative Narvaes, if you can make the connection for this bill, proceed; otherwise, will you proceed on the merits of the bill, or the substance of the bill."

Representative Narvaes responded, stating:

"Mr. Speaker, I think the connection is that the eel is a fish, and I love to eat eels, you know, especially in sushi where you take a little eel and you put it in the sushi and my mom used to make that for me when I was a kid. It is hard to get sushi like that today."

Mr. Speaker, now I feel that this bill will pass because most of the people will vote for it even though some of the members that are still sitting here in this body two years ago, voted for the eel bill with the argument that it wouldn't do any harm to the environment then and, today, they are reversing their stand saying that spearfishing is going to do a tremendous amount of damage to the environment, with the argument that no studies have been made. . ."

Representative Kawakami, at this point, rose on a point of order and stated:

"Eels may be fishes, but I think his reference to what we discussed two years ago is not related to this bill at all."

Representative Narvaes stated:

"My tie-in, Mr. Speaker, is that people have argued today that no studies have really been done on this bill that is before us and two years ago, people were pushing for the eel bill then and no studies were done then either."

Mr. Speaker, that's basically my argument. I hope everybody votes for it."

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

The House of Representatives reconvened at 6:08 o'clock p.m.

Representative Uechi then rose

on a point of information and asked whether or not the Chairman of the Committee would yield to a question, to which Representative Toguchi responded in the affirmative.

Representative Uechi asked:

"Mr. Speaker, would you ask the Chairman, if this bill passes, will the fishermen convert to spearfishing who are netting or using any other means?"

Representative Toguchi replied:

"Mr. Speaker, several people that have talked to us have mentioned that they are presently using traps or doing net fishing because spearfishing is not open to them; that is, the method or the means of catching this fish. As far as uhu, menpachi and kumu, they can go after it, but as far as the other species, they have to use nets or traps and, in addition to that, it was also brought out in testimony that those people that do trap fishing, many times, have to bring their traps completely to the surface in order to remove the fish and in doing so, they have to do it at the expense of all the different types of fish in terms of species, in terms of size also."

With the passage of this bill, they will be able. . ."

The Chair interrupted and stated:

"Representative Toguchi, I realize it is very tempting to answer questions and continue with the argument. The Chair is very aware of these procedures. If you would confine your answer to the question, the Chair would appreciate that."

Representative Toguchi responded, stating:

"Mr. Speaker, I think I am trying to answer Representative Uechi's question and I have only one or two more sentences."

So, all I am saying is that, yes, in terms of . . . yes, to Representative Uechi's question."

Roll call having been requested, the motion was put by the Chair and carried, and S.B. No. 1430, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", having been read throughout, passed Third Reading by a vote of 26 ayes to 21 noes, with Representatives Blair, Crozier, de Heer, Dods, Fukunaga, Honda, Ige, Inaba, Kawakami, Kobayashi, Kunitura,

Larsen, Machida, Segawa, Shito, Stanley, Takamine, Ushijima, D. Yamada, K. Yamada and Wakatsuki voting no, and Representatives Garcia, Kihano, Peters and Suwa being excused.

The Chair directed the Clerk to note that S.B. No. 1760 had passed Third Reading at 5:00 o'clock p.m., and S.B. No. 1430 at 6:14 o'clock p.m.

At 6:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 6:20 o'clock

p.m., the Chair stated:

"With the end of today's calendar, the House will reconvene at 11:00 o'clock a.m. tomorrow. The Chair appreciates all members' patience, cooperation, understanding and the quality of debate."

ADJOURNMENT

At 6:22 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, Tuesday, April 3, 1979.

FORTY-EIGHTH DAY

Tuesday, April 3, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend James Koons of Pearl City Church of the Nazarene, after which the Roll was called showing all members present with the exception of Representatives Anderson, Morioka, Nakamura and Toguchi, who were excused.

By unanimous consent, reading of the Journal of the Forty-Seventh Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 263 to 403) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 263) returning House Bill No. 3, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 264) returning House Bill No. 14, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 265) returning House Bill No. 38, HD 2, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 266) returning House Bill No. 100, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 267) returning House Bill No. 79, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 268) returning House Bill No. 287, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 269) returning House Bill No. 435, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 270) returning House Bill No. 438, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 271) returning House Bill No. 455, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 272) returning House Bill No. 511, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 273) returning House Bill No. 531, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 274) returning House Bill No. 577, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 275) returning House Bill No. 581, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 276) returning House Bill No. 588, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 277) returning House Bill No. 595, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 278) returning House Bill No. 596, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 279) returning House Bill No. 600, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 280) returning House Bill No. 601, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 281) returning House Bill No. 602, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 282) returning House Bill No. 606, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 283) returning House Bill No. 608, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 284) returning House Bill No. 616, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 285) returning House Bill No. 643, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 286) returning House Bill No. 696, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended

form, was placed on file.

A communication from the Senate (Sen. Com. No. 287) returning House Bill No. 737, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 288) returning House Bill No. 738, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 289) returning House Bill No. 739, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 290) returning House Bill No. 740, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 291) returning House Bill No. 866, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 292) returning House Bill No. 1200, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 293) returning House Bill No. 1206, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 294) returning House Bill No. 1322, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 295) returning House Bill No. 1341, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 296) returning House Bill No. 1589, HD 1, which

passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 297) returning House Bill No. 1633, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 298) returning House Bill No. 1645, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 299) returning House Bill No. 1647, HD 2, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 300) returning House Bill No. 1648, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 301) returning House Bill No. 1649, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 302) returning House Bill No. 1653, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 303) returning House Bill No. 1654, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 304) returning House Bill No. 1661, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 305) returning House Bill No. 1663, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate

(Sen. Com. No. 306) returning House Bill No. 1673, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 307) returning House Bill No. 1687, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 308) returning House Bill No. 1716, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, the following bills, as amended by the Senate, were placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of such bills were made available to the members of the House at 11:00 o'clock a.m.: House Bill Nos. 3, HD 1, SD 1; 14, HD 1, SD 1; 38, HD 2, SD 3; 100, SD 1; 79, HD 1, SD 1; 287, HD 1, SD 2; 435, SD 1; 438, SD 1; 455, HD 1, SD 2; 511, SD 1; 531, SD 1; 577, SD 1; 581, SD 1; 588, SD 1; 595, SD 1; 596, SD 1; 600, HD 1, SD 1; 601, SD 1; 602, SD 2; 606, HD 1, SD 1; 608, SD 1; 616, SD 2; 643, HD 1, SD 2; 696, HD 1, SD 2; 737, SD 1; 738, SD 1; 739, SD 1; 740, SD 1; 866, SD 1; 1200, HD 1, SD 2; 1206, HD 1, SD 1; 1322, HD 1, SD 1; 1341, SD 1; 1589, HD 1, SD 1; 1633, SD 1; 1645, SD 2; 1647, HD 2, SD 1; 1648, SD 1; 1649, SD 1; 1653, SD 1; 1654, SD 1; 1661, SD 1; 1663, HD 1, SD 2; 1673, SD 1; 1687, SD 1; and 1716, SD 1.

A communication from the Senate (Sen. Com. No. 309) returning House Bill No. 21, HD 1, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 310) returning House Bill No. 158, HD 1, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 311) returning House Bill No. 286, HD 1, which passed Third Reading in the Senate on April 2, 1979, was placed on

file.

A communication from the Senate (Sen. Com. No. 312) returning House Bill No. 580, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 313) returning House Bill No. 598, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 314) returning House Bill No. 599, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 315) returning House Bill No. 603, HD 1, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 316) returning House Bill No. 638, HD 2, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 317) returning House Bill No. 936, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 318) returning House Bill No. 1127, HD 1, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 319) returning House Bill No. 1640, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 320) returning House Bill No. 1695, HD 1, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 321) transmitting Senate Concurrent Resolution No. 52 requesting a review by the State and County governments of certain employment practices and procedures which was adopted by the Senate on April 2, 1979, was read by the Clerk and was placed on file.

By unanimous consent, action on S.C.R. No. 52 was deferred until later on the calendar.

A communication from the Senate (Sen. Com. No. 322) returning House Bill No. 1, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 323) returning House Bill No. 2, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 324) returning House Bill No. 20, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 325) returning House Bill No. 22, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 326) returning House Bill No. 23, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 327) returning House Bill No. 48, HD 2, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 328) returning House Bill No. 57, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 329) returning House Bill No. 80, HD 2, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 330) returning House Bill No. 82, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 331) returning

A communication from the Senate
(Sen. Com. No. 350) returning
House Bill No. 556, which passed
Third Reading in the Senate on April

2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 351) returning House Bill No. 583, HD 2, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 352) returning House Bill No. 604, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 353) returning House Bill No. 605, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 354) returning House Bill No. 722, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 355) returning House Bill No. 723, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 356) returning House Bill No. 732, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 357) returning House Bill No. 748, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 358) returning House Bill No. 890, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 359) returning House Bill No. 921, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 360) returning

House Bill No. 923, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 361) returning House Bill No. 925, HD 2, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 362) returning House Bill No. 988, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 363) returning House Bill No. 1004, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 364) returning House Bill No. 1039, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 365) returning House Bill No. 1140, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 366) returning House Bill No. 1143, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 367) returning House Bill No. 1215, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 368) returning House Bill No. 1216, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 369) returning House Bill No. 1252, HD 2, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 389) returning House Bill No. 1658, HD 1, which

passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 390) returning House Bill No. 1667, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 391) returning House Bill No. 1668, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 392) returning House Bill No. 1671, HD 1, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 393) returning House Bill No. 1686, HD 2, which passed Third Reading in the Senate by not less than two-thirds vote of all the members to which the Senate is entitled on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, the following bills, as amended by the Senate, were placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of such bills were made available to the members of the House at 11:00 o'clock a.m.: House Bill Nos. 1, HD 1, SD 1; 2, HD 1, SD 2; 20, HD 1, SD 2; 22, HD 1, SD 1; 23, HD 1, SD 1; 48, HD 2, SD 2; 57, HD 1, SD 1; 80, HD 2, SD 1; 82, HD 1, SD 1; 92, HD 2, SD 2; 95, HD 2, SD 2; 98, HD 2, SD 2; 99, HD 1, SD 2; 102, HD 1, SD 1; 166, HD 1, SD 2; 173, HD 1, SD 1; 177, SD 1; 181, HD 1, SD 1; 188, HD 1, SD 1; 189, HD 1, SD 1; 281, HD 2, SD 2; 282, HD 1, SD 2; 417, HD 2, SD 1; 421, HD 1, SD 1; 424, HD 1, SD 1; 428, HD 1, SD 1; 479, HD 1, SD 1; 520, HD 1, SD 2; 556, SD 2; 583, HD 2, SD 2; 604, SD 1; 605, HD 1, SD 2; 722, SD 1; 723, HD 1, SD 1; 732, SD 2; 748, SD 1; 890, HD 1, SD 3; 921, HD 1, SD 1; 923, HD 1, SD 1; 925, HD 2, SD 1; 988, SD 1; 1004, SD 1; 1039, SD 1; 1140, HD 1, SD 1; 1143, HD 1, SD 1; 1215, HD 1, SD 3; 1216, HD 1, SD 1; 1252, HD 2, SD 1; 1338, HD 2, SD 2; 1382, HD 1,

SD 1; 1386, HD 1, SD 1; 1432, HD 1, SD 1; 1449, SD 1; 1459, HD 1, SD 1; 1473, HD 1, SD 1; 1494, HD 1, SD 2; 1499, HD 1, SD 1; 1528, HD 1, SD 1; 1557, HD 1, SD 1; 1581, SD 1; 1588, SD 2; 1627, SD 1; 1634, HD 1, SD 1; 1639, HD 1, SD 1; 1642, HD 1, SD 1; 1646, HD 1, SD 1; 1657, HD 1, SD 2; 1658, HD 1, SD 1; 1667, SD 1; 1668, SD 1; 1671, HD 1, SD 2; and 1686, HD 2, SD 3.

A communication from the Senate (Sen. Com. No. 394) returning House Bill No. 160, HD 1, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 395) returning House Bill No. 734, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 396) returning House Bill No. 931, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 397) returning House Bill No. 982, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 398) returning House Bill No. 1186, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 399) returning House Bill No. 1526, HD 1, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 400) returning House Bill No. 1576, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 401) returning House Bill No. 1665, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 402) returning House Bill No. 1666, HD 1, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 403) returning House Bill No. 1674, which passed Third Reading in the Senate on April 2, 1979, was placed on file.

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

Representative Aki introduced fifty third grade students from Nanaikapono Elementary School, accompanied by their teachers, Miss Fujimori and Mrs. Nagatoshi.

Representative Say introduced twelve students from the Kamehameha Schools, along with their teacher, Sandy Young.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 659 to 662) and concurrent resolutions (H.C.R. Nos. 162 and 163 and S.C.R. No. 52) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
659	Jointly to Committee on Water, Land Use, Development and Hawaiian Affairs and Committee on Culture and the Arts, then to Committee on Legislative Management
660	Jointly to Committee on Water, Land Use, Development and Hawaiian Affairs and Committee on Culture and the Arts
661	Jointly to Committee on Higher Education and Committee on Agriculture
662	Committee on Judiciary

H.C.R. Nos.

162	Jointly to Committee on Higher Education and Committee on Agriculture
163	Jointly to Committee on State General Planning and Committee on Agriculture

S.C.R. No.

52	Committee on Public Employment and Government Operations
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COMMITTEE REASSIGNMENTS

The following resolution was re-referred as follows:

<u>H.R. No.</u>	<u>Re-Referred to:</u>
83	Jointly to Committee on State General Planning and Committee on Transportation, then to Committee on Legislative Management

SUSPENSION OF RULES

On motion by Representative K. Yamada, seconded by Representative Evans and carried, the rules of the House were suspended for the purpose of considering certain resolutions out of order.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 669 and 668) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 669) congratulating Jennifer Goto on her participation in the Senate Youth Program was jointly offered by Representatives Ige, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwayne, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Ige, seconded by Representative Evans and carried, H.R. No. 669 was adopted.

At this time, Representative Ige rose to speak on H.R. No. 669:

"Mr. Speaker, Jennifer Goto, daughter of Mr. and Mrs. Renji Goto (Mr. Goto is the Director of the Executive Office on Aging) and a student at Castle High School, was named one of two delegates from Hawaii to the 17th Annual United States Senate Youth Program in Washington, D.C.

The program included meeting

the President, Jimmy Carter, and Vice President, Walter Mondale.

Miss Goto underwent an intensive week long study of the Federal Government. She met with Hawaii's Senators, Inouye and Matsunaga, she participated in a mock joint session of Congress, she toured State Departments, the White House and other Washington landmarks.

Mr. Speaker, it gives me great honor to introduce before this body, a young lady who will be a leader of this State in the future, Miss Jennifer Goto."

Representative Ige also introduced Mr. Harold Chong, the principal of Castle High School, and Jennifer's parents, Mr. and Mrs. Renji Goto.

At this time, Representative de Heer presented the honoree with a flower lei while Representative Ige presented the resolutions.

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

The House of Representatives reconvened at 11:15 o'clock a.m.

A resolution (H.R. No. 668) congratulating the Chaminade University Silverswords for an outstanding basketball season was jointly offered by Representatives Say, Sakamoto, Hagino, Aki, Anderson, Baker, Blair, Crozier, Fukunaga, Hashimoto, Holt, Inaba, Kihano, Kiyabu, Kobayashi, Lacy, Larsen, Lee, Machida, Marumoto, Masutani, Morioka, Narvaes, Shito, Sutton, Takamine, Toguchi, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Say, seconded by Representative Sakamoto and carried, H.R. No. 668 was adopted.

Representative Say rose to speak on H.R. No. 668:

"Mr. Speaker, it's an honor and a privilege this morning to introduce to you the Number Two ranked team in Division III NCAA basketball. At this time, I am very sorry that the Head Coach is not here, Mr. Lopes, but we have here, today, the Athletic Director, Mike, will you please stand. Also with us is Mr. Roy Villanova, a product of Kalani High School, Mr. Chico Furtado, a product of Iolani High School, and Mr. Will Pearson, from

Kailua High School."

At this time, Representatives Evans, Fukunaga, Hashimoto, Ikeda, Kamalii, Marumoto and Stanley presented the honorees with flower leis while Representatives Sakamoto and Say presented them with their resolutions.

At 11:25 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:28 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 988) recommending that H.R. No. 539, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Aki and carried, the report of the Committee was adopted and H.R. No. 539, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE 'U' SERIES TREATMENT", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 989) recommending that H.C.R. No. 129, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Aki and carried, the report of the Committee was adopted and H.C.R. No. 129, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE 'U' SERIES TREATMENT", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 990) recommending that H.C.R. No. 132 be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Aki and carried, the report of the Committee was adopted and H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL FOOD ESTABLISHMENTS AND FACILITIES WHERE FOOD IS SERVED TO POST INSTRUCTIONS ON THE HEIMLICH MANEUVER", was referred to the

Committee on Finance.

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. 991) recommending that H.R. No. 52, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Takamine, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and H.R. No. 52, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF FEDERAL AND STATE PUBLIC EMPLOYMENT PROGRAMS", was referred to the Committee on Legislative Management.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 992) recommending that S.B. No. 758 pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 993) recommending that S.B. No. 1764, SD 1, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 994) recommending that S.B. No. 31, SD 2, pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 995) recommending that S.B. No. 1537 pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 996) recommending that S.B. No. 1594, SD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. Nos. 992 on S.B. No. 758; 993 on S.B. No. 1764, SD 1; 994 on S.B. No. 31, SD 2; 995 on S.B. No. 1537; and 996 on S.B. No. 1594, SD 2, were deferred until Thursday, April 5, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. Nos. 758; 1764, SD 1; 31, SD 2; 1537 and 1594, SD 2 were made available to the members of the House at 11:00 o'clock a.m.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 997) recommending that S.B. No. 654 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Peters and carried, the report of the Committee was adopted and S.B. No. 654, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", passed Second Reading and was placed on the calendar for Third Reading, Thursday, April 5, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 998) recommending that S.B. No. 698 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 698, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT" passed Second Reading and was placed on the calendar for Third Reading, Thursday, April 5, 1979.

Representatives Larsen and Kawakami, for the Committees on Ecology and Environmental Protection and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 999) recommending that S.B. No. 483 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takitani, seconded by Representative K. Yamada and carried, the joint report of the Committees was adopted and S.B. No. 483, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS", passed Second Reading and was placed on the calendar for Third Reading, Thursday, April 5, 1979.

Representatives Segawa and D. Yamada, for the Committees on Health and Judiciary, presented a joint report (Stand. Com. Rep. No. 1000) recommending that S.B. No. 32, SD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Honda and carried, the joint report of the Committees was adopted and S.B. No. 32, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 2)", passed Second Reading and was placed on the calendar for Third Reading, Thursday, April 5, 1979.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1001) recommending that S.B. No. 1117 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and S.B. No. 1117, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", passed Second Reading and was placed on the calendar for Third Reading, Thursday, April 5, 1979.

Representative Uwaine, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 1002) recommending that H.R. No. 320, as amended in HD 1, be adopted.

On motion by Representative Hashimoto, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.R. No. 320, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE PRESENT STATUS OF AND OBSTACLES TO THE COMMERCIALIZATION OF GEOTHERMAL ENERGY", was adopted.

Representative Uwaine, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 1003) pursuant to H.R. No. 320, HD 1, adopted by the Regular Session of 1979, reporting its findings and recommendations regarding a review of current state, county, and private efforts in expanding alternate energy research and development into commercial activities.

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

Representatives Larsen and Uechi, for the Committees on Ecology and Environmental Protection and Agriculture, presented a joint report (Stand. Com. Rep. No. 1004) recommending

that H.R. No. 540 be adopted.

On motion by Representative Takitani, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.R. No. 540, entitled: "HOUSE RESOLUTION REQUESTING A MORATORIUM ON ADDITIONAL ANTIPOLLUTION REQUIREMENTS", was adopted.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1005) recommending that H.R. No. 398 be referred to the Committee on Finance.

Representative Honda moved that the report of the Committee be adopted and that H.R. No. 398 be referred to the Committee on Finance, seconded by Representative K. Yamada.

At this time, Representative Sutton rose and stated:

"I would like to express my great appreciation that they are going to study this criminal compensation and see if they can completely eliminate attorneys' fees therein, and I would ask everybody to vote to send it to Finance."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 398, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE CRIMINAL INJURIES COMPENSATION PROGRAM", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1006) recommending that H.R. No. 428 be referred to the Committee on Legislative Management.

On motion by Representative Honda, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 428, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE LAWS RELATING TO RAPE", was referred to the Committee on Legislative Management.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1007) informing the House that House Resolution Nos. 659 to 667, House Concurrent Resolution Nos. 162 and 163 and Standing Committee

Report Nos. 988 to 1006 have been printed and distributed.

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 677 to 681) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 677) extending congratulations to record breaking winners of Maui Swim Club in recent AAU age group swimming championships was jointly offered by Representatives Takitani, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Hagino, Hashimoto, Holt, Honda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Toguchi, Uechi, Ushijima, Uwaine and D. Yamada.

On motion by Representative Takitani, seconded by Representative Honda and carried, H.R. No. 677 was adopted.

A resolution (H.R. No. 678) extending welcome and Aloha to the Real Estate Institute of Australia was jointly offered by Representatives Shito, Aki, Anderson, Baker, Crozier, de Heer, Dods, Evans, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Shito, seconded by Representative Ushijima and carried, H.R. No. 678 was adopted.

A resolution (H.R. No. 679) congratulating the Kalani High School girls tennis team on winning the 1979 Hawaii High School Championships was jointly offered by Representatives Marumoto, Larsen, Baker, de Heer, Dods, Holt, Honda, Ige, Ikeda, Kamalii, Kihano, Kiyabu, Lacy, Lee, Morioka, Sakamoto, Stanley,

Sutton, Takitani and Uwaine.

On motion by Representative Marumoto, seconded by Representative Larsen and carried, H.R. No. 679 was adopted.

A resolution (H.R. No. 680) congratulating the Punahou boys tennis team on winning the 22nd Annual Hawaii High School Athletic Association Tennis State Championship was jointly offered by Representatives Ushijima, Marumoto, Aki, Baker, Blair, Evans, Fukunaga, Hagino, Holt, Honda, Ikeda, Inaba, Kamalii, Kawakami, Kiyabu, Kobayashi, Kunimura, Larsen, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative Marumoto and carried, H.R. No. 680 was adopted.

A resolution (H.R. No. 681) extending deepest sympathy to the family of the late Zillah K. Young was jointly offered by Representatives Anderson, Wakatsuki, Peters, K. Yamada, Kamalii, Evans, Baker, Blair, Crozier, Dods, Fukunaga, Hashimoto, Holt, Honda, Ikeda, Inaba, Kawakami, Kiyabu, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Medeiros, Morioka, Narvaes, Sakamoto, Segawa, Shito, Stanley, Takitani, Toguchi, Uwaine and D. Yamada.

On motion by Representative Kamalii, seconded by Representative Peters and carried, H.R. No. 681 was adopted by a rising vote.

By unanimous consent, the following resolutions (H.R. Nos. 670 to 676) and concurrent resolution (H.C.R. No. 164) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, April 4, 1979:

A resolution (H.R. No. 670) requesting a review of the present status of and obstacles to the commercialization of alternate energy sources was jointly offered by Representatives Hashimoto, Uwaine, Anderson, de Heer, Fukunaga, Hagino, Ige, Kunimura, Narvaes, Shito, Suwa, Toguchi and Uechi.

A resolution (H.R. No. 671) requesting determination of compliance of the Kapa'a landfill expansion project with law was offered by

Representative Evans.

A resolution (H.R. No. 672) requesting the approval of United States Senate Joint Resolution 169 was jointly offered by Representatives Kiyabu, Aki, Anderson, Baker, Crozier, de Heer, Dods, Fukunaga, Hagino, Holt, Honda, Ige, Ikeda, Inaba, Kawakami, Kihano, Kobayashi, Kunimura, Larsen, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Shito, Stanley, Suwa, Takamine, Takitani, Toguchi, Uechi, Uwaine and D. Yamada.

A resolution (H.R. No. 673) requesting greater state financial assistance for the Hawaii distributive education clubs of America program was jointly offered by Representatives Shito, Kihano, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kiyabu, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

A resolution (H.R. No. 674) requesting the planning and construction of Puainako Extension Road was jointly offered by Representatives K. Yamada, Aki, Baker, Blair, Crozier, de Heer, Dods, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Machida, Masutani, Morioka, Sakamoto, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine and D. Yamada.

A resolution (H.R. No. 675) requesting a report on the efforts of the Department of Transportation to address the traffic problems on Likelike Highway was offered by Representative Ige.

A resolution (H.R. No. 676) requesting the Department of Social Services and the Department of Health to

investigate the needs of hearing impaired persons in their efforts to be provided equal access to health, welfare, and social services was jointly offered by Representatives Kobayashi, Kiyabu, Aki, Baker, Crozier, de Heer, Fukunaga, Hagino, Honda, Inaba, Kawakami, Lunasco, Masutani, Peters, Sakamoto, Segawa, Shito, Suwa, Takamine, Uechi, Ushijima, Uwaine and K. Yamada.

A concurrent resolution (H.C.R. No. 164) requesting the approval of United States Senate Joint Resolution 169 was jointly offered by Representatives Kiyabu, Aki, Anderson, Crozier, Dods, Fukunaga, Hagino, Holt, Honda, Ige, Ikeda, Inaba, Kawakami, Kihano, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Machida, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Shito, Stanley, Suwa, Takamine, Takitani, Toguchi, Uechi, Uwaine and K. Yamada.

At this time, the Chair made the following announcement:

"The Chair would like to remind all Committee Chairmen to review the House Bills returned by the Senate with amendments thereto, be prepared to agree or disagree; if you disagree, that disagreement must be made on or before Friday of this week. Be sure to be prepared to explain the amendments."

Representative Suwa requested that he be exempt from explaining the amendments to the budget, as the amendments to that bill are too numerous.

The Chair agreed and exempted Representative Suwa and his Committee members from complying with the above announcement.

ADJOURNMENT

At 11:37 o'clock a.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned until 11:00 o'clock a.m., tomorrow, April 4, 1979.

FORTY-NINTH DAY

Wednesday, April 4, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by Bishop Kyotsu Hori of the Nichiren Mission, after which the Roll was called showing all members present with the exception of Representatives de Heer, Fukunaga, Kawakami, Kiyabu, Kobayashi, Nakamura, Takitani, Wakatsuki and D. Yamada, who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Thirty-Fifth, Thirty-Sixth, Thirty-Seventh, Thirty-Eighth, Thirty-Ninth, Fortieth, Forty-First and Forty-Second Days.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, reading of the Journals was dispensed with and the Journals of the Thirty-Fifth, Thirty-Sixth, Thirty-Seventh, Thirty-Eighth, Thirty-Ninth, Fortieth, Forty-First and Forty-Second Days were approved.

By unanimous consent, reading and approval of the Journal of the Forty-Eighth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 404 to 406) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 404) returning House Bill No. 1680, HD 2, which passed Third Reading in the Senate on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, House Bill No. 1680, HD 2, as amended by the Senate was placed on the Clerk's desk and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1680, HD 2, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 405) transmitting Senate Concurrent Resolution No. 53, SD 1, requesting the County Area Agencies on Aging to cooperate with the Executive Office on Aging, Office

of the Governor of Hawaii, in the development of their area plans on aging, which was adopted by the Senate on April 3, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 406) transmitting Senate Concurrent Resolution No. 70, SD 1, requesting an exemption from the average wage provisions for certain Comprehensive Employment and Training Act participants, which was adopted by the Senate on April 3, 1979, was placed on file.

By unanimous consent, further action on S.C.R. Nos. 53 and 70 was deferred until later in the calendar.

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

Representative Ige introduced "distant relatives of mine from Canada -- Jim and Fran Chism, and their daughter, Trina."

Representative Aki introduced the family of Representative Ige -- Mrs. Amy Ige, his mother; Robin, his sister; and Sherrie, his daughter.

Representative Crozier introduced a delegation of Maui farmers, as follows: Toshihiko Uradomo, Yoshiharu Nakamura, Chester Koga, Mitsugi Yamamura; Mataka Yamamoto, James Shishido, Eric Soto and Miles Inakuma. They were accompanied by the Maui Economic Development Director.

SUSPENSION OF RULES

On motion by Representative K. Yamada, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering certain resolutions.

INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 682) congratulating Kathleen Frances Stanley, Patricia L.S. Bilyk, Denise C. DeCosta and Amy Yoshiko Kawafuchi for being named 1978 Outstanding Young Women of America was jointly offered by Representatives Evans, Kamalii, Marumoto, Ikeda, Hashimoto, Fukunaga, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Garcia, Hagino, Holt, Honda, Ige, Inaba, Kihano, Kiyabu, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Uwayne and K. Yamada and was read

by the Clerk.

Representative Evans then rose and said:

"Mr. Speaker, before we move for the adoption of the resolution, may I ask the Honorable Representative to take her place among the honorees. It was a secret, we hope."

The Chair then appointed Representatives Ushijima, Peters and K. Yamada to escort Representative Kathleen Stanley to her seat.

On motion by Representative Evans, seconded by Representative Kamalii and carried, H.R. No. 682 was adopted.

Representative Larsen then rose and remarked:

"Mr. Speaker, it is very refreshing for me to see that after all these years in the House, that the recipient of this reward still has the ability to blush.

Thank you."

Representative Evans then proceeded to introduce the honorees, stating:

"Mr. Speaker and members of the House, whenever a woman becomes successful in her chosen profession, trade or skill, we know that it has taken a lot of determination and hard work to get there. The women of the House have co-offered this resolution in the spirit of bi-partisanship, knowing that while we represent all of the people of Hawaii, we also definitely represent women and their hope to achieve equality."

Representative Evans then introduced Dr. Gary Bilyk, Pat's husband; Mr. Pat DeCosta and his daughter, Georgiana, and Denise's sister, Wanda Nakamura; and Mrs. Marion Yoshida, representing Amy Kawafuchi's family.

Representative Evans then said:

"Mr. Speaker, if I may proceed, we have four very outstanding young women. Denise is very special to us. She is quite bright and hardworking, and we are very fortunate to have her in our Research Office. Pat Bilyk is a nurse's nurse and has the respect of all of those in the profession. Amy Kawafuchi, when I recommended her for the 'Young Careerist' award last year, I was impressed by the material that we were able to uncover regarding this young remarkable woman, and last, but not least, our own Kate Stanley, and Kate was recommended for this

award by Representative Lunasco."

Representative Lunasco then presented Representative Stanley with a floral lei while Representative Blair presented her with a certified copy of the resolution; Representative Narvaes then presented Amy with a floral lei and Representative Ige presented her with a certified copy of the resolution; Representative Kihano then presented Pat with a floral lei while Representative Shito presented her with a certified copy of the resolution; and Representative Medeiros presented Denise with a floral lei while Representative Kamalii presented her with a certified copy of the resolution.

At 11:22 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of meeting our honored guests."

Upon reconvening at 11:26 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Fukunaga, Nakamura and Takitani.

Representative Stanley then rose and stated:

"Mr. Speaker, I was very surprised this morning, and all of you have kept a secret fairly well, and even my staff didn't tell me.

I would like to thank the women of this House for honoring me and for my colleagues and all the support and help you have always given me, and in many ways, my honor is a credit to your cooperation and your spirit of working with me.

Thank you all."

The Clerk, at this time, read House Concurrent Resolution No. 158, extending congratulations to Queen's Medical Center on its 120th Anniversary, which was adopted on March 28, 1979.

Representative Segawa then rose and stated:

"Mr. Speaker, I am very happy to know that the Senate has concurred in honoring Queen's Medical Center on its 120th Anniversary. I would like to ask all of my colleagues, the guests present, and the visitors also, to join me in congratulating Queen's Medical Center today.

Queen's Medical Center is the first hospital in the nation founded by royalty and is also the largest private medical center in Hawaii and the Pacific Basin.

Queen's is the only medical center

in the State which provides an acute psychiatric facility, comprehensive cancer care program, and has its own heliport. It has a capacity of 480 beds which is serviced by 2,000 employees, has the largest emergency room which is only 20 minutes from any point on the island of Oahu, and was the first hospital in Hawaii with an open heart surgical team.

In the near future, Queen's will be opening a radiation therapy building to treat cancer patients and will be working closely with the Cancer Center of Hawaii. Queen's is also one of the participants in the University of Hawaii, School of Medicine Residency Program, which provides laboratory and classroom facilities for medical students.

Today, we are very fortunate to have with us two very busy people who are vitally involved in the orderly daily functions of the Center."

Representative Segawa then introduced Mr. Will J. Henderson, "the dedicated President of Queen's Medical Center who has been administrator and now President for some 22 years with Queen's Medical Center, and who, when he is not jogging at Ala Moana Park, can be found in Board meetings at Gaspro, the Rotary Club of Honolulu, or with AFRICARE. I also understand that Will, who is keenly interested in anything to do with Hawaii, also attends classes in Hawaiiana at Kam School during his leisure time, and he could also win first place in a talent contest playing the washtub bass."

Representative Segawa then introduced Mrs. Ruth Ono, "the lovely Vice-President of Queen's Medical Center, and who, too, has been there in various capacities, and now Vice-President of administration, and who has spent some 16 years with the Center. Besides being a busy mother and wife, she is very active in club and community activities, and is seen to be dashing from one meeting to the next. While Will is the President and the front man, it is my personal feeling that Ruth is the woman behind the smooth functioning of Queen's Medical Center."

Representative Sutton then rose and said:

"Mr. Speaker, I would like to make one addendum, if I may."

Directed by the Chair to "proceed", Representative Sutton said:

"I think it would be inappropriate

when two of us here that are Representatives in this body had their fathers serve for many, many years on Queen's Hospital Board. I refer to State Representative Jack Larsen; his father's name was Nils P. Larsen and my father's name was E. White Sutton, and they both served for many years on the Board of Queen's Hospital, and therefore, I think we should give Jack Larsen a nice hand."

Representative Segawa then requested that Representatives Larsen and Sutton present the certificates.

At this time, Representative Stanley presented Mr. Henderson with an ilima lei and Representative Ige presented Mrs. Ono with an orchid lei while certified copies of the resolution were presented by Representatives Larsen and Sutton.

At 11:35 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of meeting our honored guests."

Upon reconvening at 11:37 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives de Heer, Kawakami and D. Yamada.

Representative Kunimura then introduced the following to the members of the House:

Eighteen students from the various Kauai schools (Waimea, Kauai and Kapaa) who are attending the Engineering and Science Conference at the University of Hawaii. They were accompanied by their chaperones, Mr. Howard Data and Ms. Leila Niita.

Evelyn and Timmy Morimoto, his cousins from Los Angeles, and only living relatives on his mother's side.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 670 to 676) and concurrent resolutions (H.C.R. No. 164 and S.C.R. Nos. 53, and 70) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
670	Committee on Energy, then to the Committee on Legislative Management
671	Jointly to the Committees on Ecology and Environmental-Protection and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

- 672 Committee on State General Planning
- 673 Committee on Education, then to the Committee on Finance
- 674 Committee on Transportation
- 675 Committee on Transportation, then to the Committee on Finance
- 676 Committee on Health, then to the Committee on Finance

H.C.R. No.

- 164 Committee on State General Planning

S.C.R. Nos.

- 53 Committee on Youth and Elderly Affairs
- 70 Jointly to the Committees on Employment Opportunities and Labor Relations and Public Employment and Government Operations

COMMITTEE REASSIGNMENT

Senate Bill No. 1375 was re-referred jointly to the Committees on Energy and Consumer Protection and Commerce

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1008) informing the House that House Resolution Nos. 668 to 681, House Concurrent Resolution No. 164, and Standing Committee Report Nos. 1009 to 1032, have been printed and distributed.

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

Representatives Kiyabu and Dods, for the Committees on State General Planning and Transportation, presented a joint report (Stand. Com. Rep. No. 1009) recommending that H.R. No. 83, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the joint report of the Committees was adopted and H.R. No. 83, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE APPROPRIATE

HOUSE COMMITTEES TO REVIEW THE STATEWIDE TRANSPORTATION PLAN", was referred to the Committee on Legislative Management.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1010) recommending that H.R. No. 38, HD 1, be referred to the Committee on Legislative Management.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.R. No. 38, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE 1978 CONSTITUTIONAL AMENDMENT RELATING TO THE POWERS OF THE BOARD OF REGENTS", was referred to the Committee on Legislative Management.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1011) recommending that H.R. No. 499 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 499, entitled: "HOUSE RESOLUTION REQUESTING THE SELECTION OF HEEIA-KEA FISHPOND AS ONE OF THE REPRESENTATIVE ANCIENT HAWAIIAN FISHPONDS TO BE RENOVATED FOR THE CULTURE OF LIMU", was referred to the Committee on Finance.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1012) recommending that H.R. No. 565, as amended in HD 1, be adopted.

On motion by Representative Say, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 565, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF LABOR TO INCREASE THE AVERAGE ANNUAL WAGE LIMITATIONS FOR HAWAII'S SERVICE EMPLOYMENT PARTICIPANTS UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT", was adopted.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1013) recommending that H.R. No. 470, as amended in HD 1, be adopted.

Representative Say moved that the report of the Committee be adopted and H.R. No. 470, HD 1, be adopted, seconded

by Representative K. Yamada.

Representative Sutton then rose and stated:

"Mr. Speaker, I rise to speak against Stand. Com. Rep. Nos. 1013 (H.R. No. 470, HD 1) and 1014 (H.C.R. No. 97, HD 1).

Mr. Speaker, these two resolutions put us in Hawaii in a very awkward position. We are the land of aloha and all of a sudden we are taking sides with a labor beef on J.P. Stevens in another part of the union -- the Southern part of the union. We do not have evidence -- nobody from J.P. Stevens testified. We did not have a full hearing and for us to take a position in this body of wanting to boycott all of the goods made by the textile workers of the South when we do not have before us the evidentiary, is putting Hawaii in a position where we no longer are the land of aloha -- we are the land of the axe. And I just don't feel that it is appropriate at this time.

The Southern people, as you know, are quite different if you have ever been there. They have never forgotten the Civil War, and they have never forgotten that Sherman, in the Northern army, came down there and I guess he was a little too thorough, and he burned. . . if you ever go to Atlanta, you can see the city which is left after he burned. Those people in the South are quite different from all of us. I led a parade through Atlanta of the American Legion and I couldn't believe how different those people are. They give you the shirts of their backs; they have no sense of anything but hospitality. They are magnificent people.

I don't know anything about this subject; I don't know anything about J.P. Stevens, but I do know, as an attorney and a former federal judge, that if they are the things charged in these resolutions, then go to court.

I also hold in my hand a news article and it says: "The Supreme Court of the United States, meeting in its present terms, let stand an appellate court ruling that struck down a series of court-ordered racial quotas in a discrimination suit brought by black employees and unsuccessful black job applicants against J.P. Stevens Company at its Raonoke Rapids, North Carolina facilities."

Now, that was the Supreme Court of the United States that took their hands off on this issue. And I say that the appropriate forum, with our Taft-Hartley Act and our National Labor Relations Act, is to have it go through the process of the unfair labor charge if these things are true. But why should we, this Legislature, all of a sudden, get involved in a labor beef in a part of the United States of America that we don't really know anything about, and why should we ask our citizenry to engage in a boycott of products sold under the Meadowbrook, Utica, Yves St. Laurent, Dinah Shore, Tastemaker, Fine Arts, Suzanne Pleshette, Angelo Donghia, Ava Bergmann, Cacharel, Hardy Amies, Snoopy Towels, Gulistan, and Forstmann labels. Sir, my arguments are better than my attempt to pronounce those names -- I have never seen them before. But those are the brand names that J.P. Stevens' products go under; that's how they are marketed, and we are asked to boycott them. We, the State of Hawaii! We are a representative body and we are asking our citizenry to boycott J.P. Stevens on a basis of a hearing where we did not have evidence presented by J.P. Stevens -- a one-sided evidence, almost a fortiori, something that could be considered a lack of due process.

And we have before us two resolutions that ask us to boycott J.P. Stevens and these various goods under those trade names I just read you, and for all intents and purposes, it is very comparable to what just happened in these chambers. You, the spirit of aloha and kindness and goodness, is closing your heart to a far greater degree than mine. You leave your podium for a minute to go over and shake some hands; you did not mean to commit a parliamentary breach. It was brought to your attention, and you said, yes, you are sorry you had committed it. . ."

At this point, the Chair interrupted and said:

"Representative Sutton, could you stick to the subject at hand."

Representative Sutton continued his remarks, stating:

"I am trying to give examples of exactly what degree of lack of procedural due process we have in this resolution, procedural due process Mr. Kats Yamada has lectured to us on, procedural due process that says that we must have a hearing by both sides. . ."

Representative K. Yamada then interrupted on a point of order and said:

"Mr. Speaker, the speaker is not referring to the resolution itself but is straying from it."

The Chair said:

"That is correct. Representative Sutton, could you stick to the subject at hand."

Representative Sutton stated:

"Yes, I hate to follow what the gentleman who used to be here, is now over in the Senate, just read these things verbatim, but if that's what the gentleman wants, I shall do so. Maybe, I'll get elected to the Senate by reading these Committee reports. . ."

At this point, the Chair recognized Representative Segawa and he asked:

"May I raise a point of information?"

Directed by the Chair "to state your point of information", Representative Segawa asked:

"Is the speaker going to attend the luncheon today?"

Representative Sutton answered:

"Yes, I have a luncheon engagement at noon, but there's still ten minutes left."

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

"I think the previous speaker is way out of hand. . ."

The Chair interrupted and said:

"Your point is well taken. Representative Sutton. . ."

Representative Sutton interrupted and said:

"Let us proceed."

The Chair then said:

"Yes sir, proceed."

Representative Sutton continued, stating:

"Sir, 'Whereas, mainland textile workers in the South who number more than 700,000 men and women in eight states, and only ten percent of whom are unionized, have been systematically excluded from laws granting workers the right to organize democratically and to collectively bargain for decent wages and working

conditions'. The big beef in this thing is that they are not unionized. Get somebody like our worthy gentleman from. . . I don't see him. But if we send some of our labor union organizers down South, I bet this thing will be organized in six months. What we are talking about is the inefficiency of the union organization. Why should we, because of that, all of a sudden say to our citizenry, boycott Snoopy Towels and all the rest of it.

Mr. Speaker, this is such an inappropriate forum and with our complete lack of evidentiary, that I feel we would do well to turn this resolution back and recommit it to our Committee and have them make further study.

So, I would vote 'no' myself, maybe some of my colleagues on this side of the aisle would also join me, and I would hope that you might join me, Mr. Speaker, and the people from Waianae on down.

Thank you."

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

"Mr. Speaker, while I do not disagree with the intent and purpose of this resolution, I don't think that the Legislature should be used as a forum to support any organization throughout the United States and our own State.

Mr. Speaker, while I agree with some of the complaints mentioned by the Committee report, what I cannot understand is, if the Federal government is dragging its feet, then, Mr. Speaker, this resolution should be sent to the Federal government rather than support a labor organization in the State of Hawaii.

Mr. Speaker, what I cannot understand is, if they are in direct violation of the National Labor Relations Board and court orders to halt its illegal labor practices, and so far, the company has vigorously violated those requirements, then it is about time that the Feds take them to court.

But more important, Mr. Speaker, I don't think that we, as a legislative body, should be used for this kind of thing, and I think that this should be recommitted back to Committee.

Thank you."

Representative Say then rose and stated:

"Mr. Speaker, I rise in support of this measure.

First of all, I would like to say a few statements in rebuttal to the past two speakers that it had been taken to court and the firm has been paying a huge fine for their wrongdoing.

Secondly, the resolution is addressed to the President of the United States, to the Senate President of the Congressional Legislature, and to the Speaker of the House of the Federal Legislature.

I also have here a statement made by the Chairman of the Committee and I would like it to be inserted into the Journal."

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

Representative Takamine's statement is hereby inserted:

"Mr. Speaker, House Resolution 470 and House Concurrent Resolution 97 speak for itself, therefore, I won't go into the long history of J.P. Stevens' anti-union, anti-social, inhumane, contemptuous conduct since the early 50's and early 60's.

I would like to point out, however, that this can happen here in our State.

At the present time, there are fifteen workers on Kauai, some who are now former employees of Robert's Tours, who are still struggling for recognition two years after they voted for union representation. Supporting these measures also support these workers.

Mr. Speaker, boycotting anything, especially items sold nationwide and worldwide, is not easy. We were witness to the struggle of Mr. Chavez and his farm workers which lasted about five years. But, through the cooperation of many people in our country and abroad, the boycott was successful. We know this boycott also benefitted the farmers in our State.

This struggle by the courageous 44,000 workers of J.P. Stevens, when successful, will also benefit Hawaii's clothing industry workers.

The Hawaii coalition to support J.P. Stevens' workers, which includes all segments of the community, was formed to educate the public of J.P. Stevens' workers' unbelievable working conditions.

J.P. Stevens Company is the nation's worst labor law violator. The Company pays huge fines and continues to flout the laws. These unlawful actions

by the second largest textile giant has raised the unprecedented ire of citizens all over the country, resulting in a nationwide boycott.

On behalf of your Committee and members of this House, I congratulate the J.P. Stevens' boycott committee. I know these measures -- House Resolution 470 and House Concurrent Resolution 97 -- if accepted by the Senate, will definitely give moral support to the committee and workers of J.P. Stevens.

Thank you."

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

"Mr. Speaker, I just would like to remind the members of this honorable body that this measure and the following concurrent resolution are not labor bills inasmuch as they support a particular organization; rather, these are human rights bills. It is evident by the evidence that throughout the Committee meetings, you saw the tremendous and flagrant violations of human rights that are occurring, caused by this particular company. These rights that are being violated are an insult to all the people, all working people, and all of us have backgrounds of working people; we all are working people ultimately, and I think it is our responsibility, as leaders in the community, to look after the human rights of all the people, particularly in our country and around the world.

Just on the basis that this is a human rights resolution, I urge all the members of this body to support these measures.

Thank you."

At 11:55 o'clock a.m., upon request by Representative Anderson, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:02 o'clock p.m.

At this time, Representative Sutton requested a roll call vote on this measure.

Representative Suwa then rose and stated:

"Mr. Speaker, as the original resolution read, I had some reservations, but the Committee was good enough to amend the resolution to include some of the states that are the guilty ones, especially the State Legislature of the particular states where these factories are located; therefore, I rise to speak for this resolution.

Mr. Speaker, as far as to take action

as to boycott within a separation of waters from that of the United States, I think, to me, it somewhat has a reservation to do these things. But, on the other hand, to what I have seen in the film, some of the things would never happen in the State of Hawaii. I think the State of Hawaii has matured in the area of industrial relations and some of the things that have happened on the mainland, and I repeat, will never happen in Hawaii.

Therefore, these resolutions will be going to the State Legislatures, especially in North Carolina where some of the things are going on where the factory exists, and I think it is the fault of the State Legislatures to have such a thing exist where the National Labor Relations Board acts on, and I think it is a shame on the states that those factories are located.

Therefore, I have reservations in terms of boycott, but I think these resolutions will be a meaningful impact to the State Legislatures of the particular states.

Thank you very much."

Representative Sutton, at this time, rose on a point of order and stated:

"Mr. Speaker, as a member of this body and under the rules of Cushings, I have a right to ask for roll call and I have asked for roll call."

The Chair replied:

"Your request will be taken but I would like to have a show of hands for roll call."

Representative Kunimura then rose and stated:

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

I cannot sit here in this sacred chamber to listen to some of the gobbledygook that the Southerners are so nice, that they treat you so beautifully. Yes, they are nice people. Mr. Speaker, I spent but nine months in Shelby, Mississippi, and we were all treated very nicely as long as there was a black man in our presence. But, as soon as the black man went out of the restaurant, or the theatre, we became black.

Mr. Speaker, I said many times on the floor of this House that our rights, our freedom, is best preserved when we preserve our neighbor's rights and his freedom or her freedom.

Yes, it sounds very logical for us, some 4,000 to 5,000 miles away from what is happening, to keep our mouths closed, our eyes blinded, because it is none of our business. Hawaii is a state of aloha spirit; we should be friendly. Having aloha spirit is a kind of responsibility that we should get involved, and we should learn from the wise tactics of the great world leader on peaceful movement, Mahatma Gandhi, rather than rise in force and violence, rise in economic boycott, and the kind of boycott that is non-violent. If all of the states in the union, or if most of the states and the people of the union would, one day, stop buying these products, the people mentioned in this resolution would immediately comply with what we are trying to foster as far as human rights are concerned.

I am not crying out today because we were stepped on, but I am crying out today because we are trying to be blinded by the spirit of aloha that we should mind our own business and let our neighbors suffer. Let me tell you this, when you close your eyes and be deaf to your neighbor's cry for help, someday, they will be deaf to your cry for help and, therefore, Mr. Speaker, I urge all members of this House, in the spirit of aloha, let us vote for this resolution that we can eradicate, at least within the borders of the United States, this kind of unreasonable, undemocratic exploitation.

Thank you."

Representative Lunasco was recognized and he stated:

"Mr. Speaker, I rise again to speak against this resolution and just to briefly state, Mr. Speaker, whether we pass this resolution or not is immaterial. Mr. Speaker, what I can gather from what I have read so far in this Committee report and resolution, it seems as though our federal laws, as well as the laws in those states, are insufficient to cover labor disputes among workers.

And, Mr. Speaker, my only concern is that if we really want to do something, why don't we voice a strong concern to the Feds as a Legislature and look into this matter rather than support an organization in Hawaii that is proposing a boycott on J.P. Stevens and Company products. This is my only concern, Mr. Speaker.

I don't think that the Legislature should be used for this type of thing. If we are really sincere, let's do it right and go to Congress if that's where the problem is, and that is the only way you are

going to get to the root of the problem.

Thank you."

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

"Mr. Speaker, the substance of the matter is in two parts, the way I see it. One is that you're in support of the problems of the labor organization in the Southern United States. And I agree with that. They probably do have problems there but I do not think it is our function here in the State of Hawaii to take on the problems of the Southern United States.

The other more direct problem is one of economics. We are proposing here economic sanctions against operating manufacturers in the Southern United States and they could easily retaliate with us and say, okay, the hell with you guys. We don't think anybody should go to Hawaii because they are against us on that economic basis.

I really take exception to the boycott idea in this resolution. If it was a request like a previous speaker said the United States to view the problems there and see what they can do to rectify them, that is one thing. To take an economic position against the Southern United States, I am against this resolution, and I hope the rest of the folks in this body would also vote against it.

Thank you."

Roll call having been requested, the Chair requested a show of hands, and upon failure of a sufficient number in accordance with the rules of the House, ruled that the request failed.

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 470, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING THE HAWAII COALITION OF LABOR ORGANIZATIONS IN THEIR BOYCOTT OF J.P. STEVENS AND COMPANY PRODUCTS", was adopted.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1014) recommending that H.C.R. No. 97, as amended in HD 1, be adopted.

On motion by Representative Say, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.C.R. No. 97, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII

COALITION OF LABOR ORGANIZATIONS IN THEIR BOYCOTT OF J.P. STEVENS AND COMPANY PRODUCTS", was adopted.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 1015) recommending that H.R. No. 487 be adopted.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.R. No. 487, entitled: "HOUSE RESOLUTION REQUESTING THAT THE WEEK OF NOVEMBER 12TH-18TH, 1979, BE DEDICATED TO HONOR THE MEMORY OF KING DAVID LA'AMEA KALAKAUA", was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1016) recommending that H.R. No. 513 be adopted.

On motion by Representative Uechi, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.R. No. 513, entitled: "HOUSE RESOLUTION REQUESTING GOVERNMENTAL AGENCIES TO REFRAIN FROM IMPOSING ADDITIONAL REQUIREMENTS AND TO REVIEW EXISTING REQUIREMENTS THAT ADD TO OPERATIONAL COSTS WITH A VIEW TOWARD REDUCING PRODUCTION-RELATED COSTS OF THE HILO COAST PROCESSING COMPANY", was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1017) recommending that H.R. No. 384 be adopted.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 384, entitled: "HOUSE RESOLUTION REQUESTING THAT THE STATE OF HAWAII PRESERVE THE RESIDENTIAL NATURE OF DIAMOND HEAD AND WAIALAE-KAHALA BEACHFRONT", was adopted.

Representative Kawakami, for the majority of the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1018) recommending that H.R. No. 177 be adopted.

Representative Kawakami moved that the report of the majority of the Committee be adopted and H.R. No. 177 be adopted, seconded by Representative Fukunaga.

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

"Mr. Speaker, you know, at first I looked at this resolution as not very serious, but it has far greater implications than it really assumes -- public use of Leilehua and the Navy-Marine Golf Courses. And while this may pertain to golfers, it also involves public funds utilized for the purpose of these recreational facilities and while we are trying to open this up for public use, and it is in the Committee report -- it mentions the need to consider the greater efficiency before any commitment is made to the construction of future golf courses. I think this is very significant in this regard, that while these courses are to be utilized for service personnel, it appears that with the reduction in the service personnel in the State, in the military as well as the civilian populace, I believe there is a real need to consider the usage of these military facilities for public use.

It is my understanding that Fort Benning, Georgia, which is the nation's infantry training center, has already opened up their golf courses to the public, to the townspeople, in order that their usage may be of a greater one to the people as well as to the military.

I believe that this can be worked out between the military and the public and for these reasons, I ask all members to support this resolution."

Representative Nakamura then rose and stated:

"Mr. Speaker, by way of enlightening the previous speaker, I rise to make a brief remark.

Well, first of all, I should declare a conflict of interest, being a member of the Leilehua Golf Club. . ."

At this point, the Chair interrupted and asked:

"Do you want a ruling from the Chair?"

Representative Nakamura answered:

"Yes, Mr. Speaker."

The Chair ruled "no conflict" and directed Representative Nakamura to "proceed."

Representative Nakamura continued, stating:

"Mr. Speaker, since this resolution simply calls for a review and study, I will vote for this resolution. However, I would like to, for the information

of the members of the House, explain that this golf course is not maintained with public funds. The golf course is maintained with Association dues and non-appropriated funds which comes from the PX system.

For the enlightenment of the members, I would like to, for the record, present those remarks."

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

"Mr. Speaker, the reason I am speaking against it is stated concisely by the previous speaker that the monies that go to operate these clubs do not come from the Federal government -- they come from the military clubs and PX Exchange bases, and it is not public funds. It is from their pockets and I can't see the civilian population going out and taking advantage of these golf clubs that are now funded from within the military organizations as though it is their right. You might as well propose that we all get into the PX's and start participating in those and the NCO Clubs and the Officers' Clubs on the bases. I see no difference between this and those other positions I just mentioned.

Therefore, I think it is illogical and it is inconsiderate of us to say we are going to start using your facilities and not take on part of the cost in maintaining them.

Thank you, Mr. Speaker."

Representative Say then rose on a point of information and asked whether or not the Chairman of the Committee would yield to a question, to which Representative Kawakami answered, "I will yield."

Representative Say asked:

"Mr. Speaker, I believe, at this time, the public is given the accessibility of using the golf courses named in this resolution. Am I not correct?"

Representative Kawakami answered:

"He is correct, except for the Navy-Marine Golf Course. They are very reluctant to open it up except to retired military personnel."

Representative Say thanked the Chair and remarked:

"I just wanted to say that I believe it is open to the public and that some of my friends who have been on the course said that it's really cheap to

buy beer from the vending machines -- it is only 25 cents."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.R. No. 177, entitled: "HOUSE RESOLUTION REQUESTING EXAMINATION OF THE FEASIBILITY OF THE UNITED STATES ARMY AND NAVY TO ALLOW THE GENERAL PUBLIC TO UTILIZE THE LEILEHUA GOLF COURSE AND THE NAVY-MARINE GOLF COURSE", was adopted.

Representative Kawakami, for the majority of the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1019) recommending that H.C.R. No. 11 be adopted.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the majority of the Committee was adopted and H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ARMY AND NAVY TO ALLOW THE GENERAL PUBLIC TO UTILIZE THE LEILEHUA GOLF COURSE AND THE NAVY-MARINE GOLF COURSE", was adopted.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 1020) recommending that H.R. No. 515 be adopted.

Representative Aki moved that the report of the Committee be adopted and H.R. No. 515 be adopted, seconded by Representative Ige.

Representative Hagino then rose and stated:

"Mr. Speaker, I rise to speak in support of this resolution but I want to make a comment. You know, this resolution recognizes this year as the 'International Year of the Child' and we are supposed to pay attention to the problems and the hopes of children and young people.

I rise to speak on this matter because I have noticed that this House has passed various measures which, I think, are in contradiction to this 'International Year of the Child.'

We passed a bill which is going to crack down, in a very harsh way, school truancy. We passed a bill that is going to treat seventeen year olds as adults if they commit certain kinds of crimes. On Monday, we passed two bills -- one having to do

with minimum sentencing for shoplifting which is going to divide young shoplifters to those who can afford to pay fines and those who cannot afford to pay fines. We passed a bill relating to trespassing. This is going to be used to crack down, perhaps, on student protestors who may want to exercise their rights of free speech.

I just want to point out that this is the 'International Year of the Child'; hopefully, that the bills that we passed do go to conference and when they come back to the floor of this House, that we will keep in mind that this is the 'International Year of the Child', and we will vote down those measures.

Thank you."

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

"Mr. Speaker, I disagree with the statement just made. This is not the 'International Year of Spoiling the Child'; this is the year to support the child to help him grow up into healthy citizens and honest citizens and we had better punish those that get astray soon enough so that they won't infect the rest of the community.

And, we are talking about values and when people have different values, we may be infected; therefore, I ask for the wholehearted support of this resolution."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 515, entitled: "HOUSE RESOLUTION RECOGNIZING 1979 AS THE INTERNATIONAL YEAR OF THE CHILD IN ACCORDANCE WITH THE DECLARATION OF THE UNITED NATIONS", was adopted.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 1021) recommending that H.C.R. No. 119 be adopted.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.C.R. No. 119, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING 1979 AS THE INTERNATIONAL YEAR OF THE CHILD IN ACCORDANCE WITH THE DECLARATION OF THE UNITED NATIONS", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1022) recommending that H.R. No. 131, HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 131, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF JUVENILE OFFENDER RECORDS CONFIDENTIALITY", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1023) recommending that H.R. No. 324, as amended in HD 2, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 324, HD 2, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF PRESENT STATE RECRUITMENT AND HIRING PRACTICES TO DETERMINE THE NEED FOR GREATER COORDINATION BETWEEN STATE AGENCIES", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1024) recommending that H.R. No. 37, HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, Stand. Com. Rep. No. 1024 and H.R. No. 37, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE 1973 AUDIT OF THE UNIVERSITY OF HAWAII FACULTY WORKLOAD", were recommitted to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1025) recommending that H.C.R. No. 7, HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.C.R. No. 7, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO INCREASE FUNDS AVAILABLE UNDER VOCATIONAL REHABILITATION ACT, AS AMENDED, AND TITLE XX OF THE SOCIAL SECURITY ACT, SO THAT THE VOCATIONAL/SOCIAL REHABILITATION SERVICES IN HAWAII MAY RECEIVE ADEQUATE FUNDING", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1026) recommending that H.C.R. No. 24, HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee

was adopted and H.C.R. No. 24, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY AND ASSESSMENT OF THE NEED FOR AFTER-SCHOOL PROGRAMS", was adopted.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1027) recommending that H.R. No. 95, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.R. No. 95, HD 1, entitled: "HOUSE RESOLUTION REQUESTING IDENTIFICATION OF THE THREE HUNDRED LANE MILES OF COUNTY HIGHWAYS WHICH ARE EXPECTED TO BE TRANSFERRED TO THE STATE HIGHWAY SYSTEM IN THE ENSUING BIENNIUM AND THE FUNDING REQUIREMENTS FOR THE TRANSFER", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1028) recommending that H.R. No. 536 be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.R. No. 536, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY ALTERNATIVE METHODS FOR FINANCING HARBORS DIVISION CAPITAL IMPROVEMENTS", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1029) recommending that H.R. No. 98 be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.R. No. 98, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF LONG-TERM FUNDING ALTERNATIVES FOR THE STATE HIGHWAY FUND", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1030) recommending that H.C.R. No. 126 be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.C.R. No. 126, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF

LONG-TERM FUNDING ALTERNATIVES FOR THE STATE HIGHWAY FUND", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1031) recommending that H.C.R. No. 120 be adopted.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ACQUISITION OF FEDERAL GRANTS FOR BICYCLE PROJECTS UNDER THE FEDERAL-AID HIGHWAY ACT OF 1978", was adopted.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1032) recommending that H.R. No. 516 be adopted.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.R. No. 516, entitled: "HOUSE RESOLUTION REQUESTING THE ACQUISITION OF FEDERAL GRANTS FOR BICYCLE PROJECTS UNDER THE FEDERAL-AID HIGHWAY ACT OF 1978", was adopted.

INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 684) extolling the virtues of culinary arts in Hawaii and urging full community support for the 1979 Culinary Arts and Suppliers Exposition was jointly offered by Representatives Kunimura, Suwa, Peters, Ushijima, Aki, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Takamine, Takitani, Toguchi, Uechi, Uwaine, D. Yamada, K. Yamada and Wakatsuki and was read by the Clerk.

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

Representative Kunimura then rose and stated:

"Mr. Speaker, just a short one. I would like to invite all of you and all of those in the gallery to go and see this show. It is really an exposition, and I rise to speak in favor of this resolution that this House has stood

and without giving an inch for vocational education, we are unique. And I would like to ask for your continued support for our vocational education program within the community colleges of our State.

Thank you."

The motion was put by the Chair and carried, and H.R. No. 684 was adopted.

By unanimous consent, the following resolution (H.R. No. 683) was referred to the Committee on Legislative Management and further action was deferred until tomorrow, April 5, 1979:

A resolution (H.R. No. 683) requesting immediate entry of Kawainui Marsh on the Hawaii Register of Historic Places, and nomination thereof to the National Register of Historic Places was offered by Representative Evans.

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

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

At this time, Representative Uechi gave notice of his intent to disagree with the Senate amendments to House Bill No. 1252.

Representative Lunasco gave notice of his intent to disagree with the Senate amendments to House Bill No. 38, HD 1.

Representative Larsen gave notice of his intent to disagree with the Senate amendments to House Bill Nos. 417 and 1642.

Representative Kiyabu gave notice of his intent to disagree with the Senate amendments to House Bill No. 1232.

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

The House of Representatives reconvened at 12:31 o'clock p.m.

ADJOURNMENT

At 12:32 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, Thursday, April 5, 1979.

FIFTIETH DAY

Thursday, April 5, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Don Stone of Lanakila Baptist Church of Waipahu, after which the Roll was called showing all members present with the exception of Representatives Anderson, Garcia, Holt, Morioka, Narvaes, Sakamoto, Toguchi and Uechi, who were excused.

By unanimous consent, reading of the Journal of the Forty-Ninth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 407 to 426) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 407) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1096, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 408) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1097, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 409) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1098, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 410) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1099, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 411) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1100, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 412) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1101, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 413) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1102, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 414) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1103, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 415) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1104, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki,

Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 416) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1105, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 417) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1106, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 418) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1108, SD 2, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the

House was deferred.

A communication from the Senate (Sen. Com. No. 419) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1742, SD 1, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Cayetano, Chairman; Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee had been appointed as Managers on the part of the Senate at such conference, was placed on file.

By unanimous consent, naming of the Conferees on the part of the House was deferred.

A communication from the Senate (Sen. Com. No. 420) returning House Concurrent Resolution No. 44 which was adopted in the Senate on April 4, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 421) returning House Concurrent Resolution No. 49, HD 1, which was adopted by the Senate on April 4, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 422) returning House Concurrent Resolution No. 52 which was adopted by the Senate on April 4, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 423) transmitting Senate Concurrent Resolution No. 79 commending the merger of Big Brothers of Hawaii and Ke Kua'Ana Nui-Hawaii Big Sisters which was adopted by the Senate on April 4, 1979, was placed on file.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, S.C.R. No. 79 was adopted.

A communication from the Senate (Sen. Com. No. 424) transmitting Senate Concurrent Resolution No. 80 recognizing the contribution of Lykes Brothers Steamship Company to Hawaii by its providing Far East/Hawaii/West Coast cargo service which was adopted by the Senate on April 4, 1979, was placed on file.

By unanimous consent, action

on S.C.R. No. 80 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 425) transmitting Senate Concurrent Resolution No. 39 declaring the protection of Hawaii's sugar industry as a matter of compelling state interest and urging all the people of Hawaii, including business establishments, to actively support the industry which was adopted by the Senate on April 4, 1979, was placed on file.

By unanimous consent, action on S.C.R. No. 39 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 426) transmitting Senate Concurrent Resolution No. 61 requesting the United States Department of Agriculture to adopt grading standards on ginger root imported into the United States which was adopted by the Senate on April 4, 1979, was placed on file.

By unanimous consent, action on S.C.R. No. 61 was deferred until later in the calendar.

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

Representative Lee introduced a former member of the House of Representatives from Maui, Mr. Harold Dupont.

Representative Suwa introduced a member of the Council of the County of Hawaii who represents the Puna district, Mr. Tom Fujii.

Representative Say introduced eighteen members of the student council of Palolo Elementary School, accompanied by their advisor, Mrs. Sands, and several parents, Mrs. Joyce Logan, Mrs. Lorraine Muramoto and Mrs. Albert Sida.

Representative K. Yamada introduced five student leaders from Hilo High School, Waiakea High School and Pahoa High School who were visiting the Capitol to observe the legislative process.

Representative Nakamura introduced the Executive Director of the trucking industry, Mr. John Farnell.

Representative Kihano introduced his good friend, Mrs. Josephine

Kurashima.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolution (H.R. No. 683) and concurrent resolutions (S.C.R. Nos. 39, 61 and 80) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
683	Jointly to Committee on Water, Land Use, Development and Hawaiian Affairs and Committee on Culture and the Arts

S.C.R. Nos.

39	Committee on Agriculture
61	Committee on Agriculture
80	Committee on Water, Land Use, Development and Hawaiian Affairs

SUSPENSION OF RULES

On motion by Representative K. Yamada, seconded by Representative Evans and carried, the rules of the House were suspended for the purpose of taking action on certain resolutions out of order.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 691 and 685) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 691) congratulating Hawaiian Airlines' first all-female crew was jointly offered by Representatives Evans, Anderson, Aki, Baker, Blair, Crozier, de Heer, Dods, Fukunaga, Garcia, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Evans, seconded by Representative Kamalii and carried, H.R. No. 691 was adopted.

Representative Evans then rose to introduce the honorees:

"Mr. Speaker, this, with our biases, is women's week at the State Capitol. So that we won't prolong it, and because the crew has to get to the Senate, I would like to introduce them: Sharyn Emminger, Captain (traditionally, Captains are good looking and she follows the traditional pattern); Karen Squyres, First Officer; Trude Asada, Flight Attendant; Shirley Nuyha, Honolulu Ticket Agent; Trudie Oshiro, Honolulu Baggage Handler; and from Molokai, Cecilia Ellertsen; and Mr. John Magoon, President of Hawaiian Air."

At this time, Representatives de Heer, Crozier, Marumoto, Uwaine, Say, Sutton and Takitani presented flower leis to the honorees while Representative Evans presented the resolutions.

At 11:25 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

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

A resolution (H.R. No. 685) commending and honoring Maurice M. Kahawai on his selection as the 1979 Truck Driver of the Year for Hawaii was jointly offered by Representatives Stanley, Blair, Aki, Anderson, Baker, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Stanley, seconded by Representative Blair and carried, H.R. No. 685 was adopted.

Representative Stanley then rose to introduce the honoree and his wife:

"Mr. Speaker, here in Hawaii we are highly dependent on the importation of goods from all over the world. Hawaii's trucking industry plays the crucial role in the distribution of these goods among the relatively limited number of entry points to homes and places of business throughout

our island. It is, therefore, with great pleasure this morning that I introduce Hawaii's Trucker of the Year for 1979, Mr. Maurice Kahawahi who is joined here today by his lovely wife."

Representative Stanley also introduced Mr. John Farnell of the Hawaii Transportation Association, Mr. Art Campbell, Mr. Tom Walter and Mr. Jim Dominy, all of Chevron Corporation

At this time, Representatives Fukunaga and Blair presented the honorees with flower leis while Representative Stanley presented the resolutions.

At 11:25 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

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

At this time, Representative Kunimura made a late introduction to the members of the House. He introduced two gentlemen who make their life working with children in the public schools, Mr. Al Nagata from Honolulu and Mr. Daniel Yotsuda from Kauai.

SUSPENSION OF RULES

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

UNFINISHED BUSINESS

Stand. Com. Rep. No. 992 on S.B. No. 758 (deferred from April 3, 1979)

On motion by Representative Suwa, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 758, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", having been read throughout, passed Third Reading by a vote of 43 ayes, with Representatives Anderson, Garcia, Holt, Morioka, Narvaes, Sakamoto, Toguchi and Uechi being excused.

Stand. Com. Rep. No. 993 on S.B. No. 1764, SD 1 (deferred from April 3, 1979)

On motion by Representative Suwa, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and S.B. No. 1764, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE IMMIGRANT SERVICES CENTER", having been read throughout, passed Third Reading by a vote of 43 ayes, with Representatives Anderson, Garcia, Holt, Morioka, Narvaes, Sakamoto, Toguchi and Uechi being excused.

Stand. Com. Rep. No. 994 on S.B. No. 31, SD 2 (deferred from April 3, 1979)

On motion by Representative Suwa, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 31, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PAYMENTS (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 3)", having been read throughout, passed Third Reading by a vote of 43 ayes, with Representatives Anderson, Garcia, Holt, Morioka, Narvaes, Sakamoto, Toguchi and Uechi being excused.

Stand. Com. Rep. No. 995 on S.B. No. 1537 (deferred from April 3, 1979)

Representative Suwa moved that Stand. Com. Rep. No. 995 be adopted and that S.B. No. 1537 pass Third Reading, seconded by Representative Kunimura.

Representative Suwa then rose to speak on S.B. No. 1537:

"Mr. Speaker, this is not making a new appropriation, but primarily changing the language; therefore, we are not passing money items before passing the budget. With that understanding, the motion is made."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1537, entitled: "A BILL FOR AN ACT RELATING TO KAPIOLANI CHILDREN'S MEDICAL CENTER", having been read throughout, passed Third Reading by a vote of 43 ayes, with Representatives Anderson, Garcia, Holt, Morioka, Narvaes, Sakamoto, Toguchi and Uechi being excused.

Stand. Com. Rep. No. 996 on S.B. No. 1594, SD 2 (deferred from April 3, 1979)

On motion by Representative Suwa, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 1594, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION PERMIT FEES", having been read throughout, passed Third Reading by a vote of 43 ayes, with Representatives Anderson, Garcia, Holt, Morioka, Narvaes, Sakamoto, Toguchi and Uechi being excused.

The Chair directed the Clerk to note that S.B. Nos. 758; 1764, SD 1 and 31, SD 2 passed Third Reading at 11:31 o'clock a.m., S.B. No. 1537 passed Third Reading at 11:34 o'clock a.m. and S.B. No. 1594, SD 2, passed Third Reading at 11:35 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1033) informing the House that House Resolution Nos. 682 to 684 and Standing Committee Report Nos. 1034 to 1037 have been printed and distributed.

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

Representatives Ushijima and Machida, for the Committees on Higher Education and Tourism, presented a joint report (Stand. Com. Rep. No. 1034) recommending that H.R. No. 77, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the joint report of the Committees was adopted and H.R. No. 77, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A PROGRESS REPORT ON THE STATUS OF THE IMPLEMENTATION OF THE CURRICULUM GUIDE FOR HOSPITALITY EDUCATION", was referred to the Committee on Legislative Management.

Representatives Ushijima and Machida, for the Committees on Higher Education and Tourism, presented a joint report (Stand.

Com. Rep. No. 1035) recommending that H.R. No. 75, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the joint report of the Committees was adopted and H.R. No. 75, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE REVIEW OF THE STATUS AND PROBLEMS IN IMPLEMENTING THE HOSPITALITY TRAINING PROGRAMS OF HAWAII'S COMMUNITY COLLEGES", was referred to the Committee on Legislative Management.

Representatives Ushijima and Machida, for the Committees on Higher Education and Tourism, presented a joint report (Stand. Com. Rep. No. 1036) recommending that H.R. No. 74, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the joint report of the Committees was adopted and H.R. No. 74, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE PROGRESS OF THE SCHOOL OF TRAVEL INDUSTRY MANAGEMENT OF THE UNIVERSITY OF HAWAII", was referred to the Committee on Legislative Management.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1037) recommending that H.R. No. 474, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative K. Yamada, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.R. No. 474, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PERFORM A STUDY RELATING TO THE IMPLEMENTATION OF ARTICLE XI OF THE CONSTITUTION OF THE STATE OF HAWAII, CONCERNING STATE LICENSING OF MARICULTURE OPERATIONS", was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1038) recommending that H.R. No. 581 be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.R. No. 581, entitled: "HOUSE RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII, TOGETHER WITH THE DEPARTMENT OF BUDGET AND FINANCE, CONDUCT A STUDY TO DETERMINE OVERHEAD SUPPORT NEEDS FOR RESEARCH AND TRAINING AT THE UNIVERSITY OF HAWAII", was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1039) recommending that H.C.R. No. 141 be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII, TOGETHER WITH THE DEPARTMENT OF BUDGET AND FINANCE, CONDUCT A STUDY TO DETERMINE OVERHEAD SUPPORT NEEDS FOR RESEARCH AND TRAINING AT THE UNIVERSITY OF HAWAII", was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1040) recommending that H.R. No. 554 be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.R. No. 554, entitled: "HOUSE RESOLUTION RELATING TO THE CREATION OF A FILM-MAKING AND TELEVISION DEGREE PROGRAM AT THE UNIVERSITY OF HAWAII AND THE COMMUNITY COLLEGES", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 698 to 701) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 698) expressing condolences to the family of the late Clarence Kealoha Chu-Hing was jointly offered by Representatives Garcia, Aki, Baker, Dods, Fukunaga,

Hagino, Hashimoto, Holt, Honda, Inaba, Kawakami, Kihano, Kiyabu, Marumoto, Masutani, Shito, Stanley, Suwa, Takamine, Ushijima and K. Yamada.

On motion by Representative Hagino, seconded by Representative Aki and carried, H.R. No. 698 was adopted by a rising vote.

A resolution (H.R. No. 699) commending Pi Sigma Epsilon, Upsilon Chapter, Inc., Associated Students of the University of Hawaii and Dr. H. Roy McArdle for their support of Career Day was jointly offered by Representatives de Heer, Ushijima, Fukunaga, Aki, Anderson, Baker, Blair, Crozier, Dods, Evans, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Uwayne, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative de Heer, seconded by Representative Ushijima and carried, H.R. No. 699 was adopted.

A resolution (H.R. No. 700) congratulating David Hulihee for outstanding community service and recognizing his recent nomination for the National Thomas Jefferson Award was jointly offered by Representatives Crozier, Honda, Machida, Takitani, Aki, Blair, de Heer, Evans, Hagino, Hashimoto, Holt, Ikeda, Kamalii, Kunimura, Lacy, Marumoto, Peters, Sakamoto, Say, Shito, Stanley, Toguchi, Ushijima, K. Yamada and Wakatsuki.

On motion by Representative Honda, seconded by Representative Machida and carried, H.R. No. 700 was adopted.

A resolution (H.R. No. 701) congratulating Pearl Friel Petro for outstanding community service and recognizing her recent nomination for the National Thomas Jefferson Award was jointly offered by Representatives Crozier, Honda, Machida, Takitani, Aki, Blair, de Heer, Evans, Hagino, Hashimoto, Ikeda, Kamalii, Kunimura, Lacy, Marumoto, Peters, Say, Shito, Stanley, Toguchi, Ushijima, K. Yamada and Wakatsuki.

On motion by Representative Honda, seconded by Representative Machida and carried, H.R. No. 701 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 686 to 690 and 692 to 697) and concurrent resolutions (H.C.R. Nos. 165 to 169) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, April 6, 1979:

A resolution (H.R. No. 686) urging the City and County Councils to adopt ordinances requiring water flow control devices for all new homes and public facilities was offered by Representative Evans.

A resolution (H.R. No. 687) requesting that the Honokaa Hospital development project be assigned the highest priority and that the development project proceed as expeditiously as possible was jointly offered by Representatives Takamine, Aki, Garcia, Hagino, Holt, Honda, Inaba, Kiyabu, Kobayashi, Sakamoto, Segawa, Suwa, Uechi, D. Yamada and K. Yamada.

A resolution (H.R. No. 688) requesting a study on the feasibility of establishing a facility to transport certain agricultural wastes for land reclamation in the County of Hawaii was jointly offered by Representatives Takamine, Aki, Garcia, Hagino, Holt, Honda, Inaba, Kiyabu, Sakamoto, Segawa, Suwa, Uechi, D. Yamada and K. Yamada.

A resolution (H.R. No. 689) requesting a study of the feasibility of requiring restroom facilities in retail establishments was jointly offered by Representatives Takamine, Aki, Hagino, Holt, Honda, Kiyabu, Sakamoto, Suwa, Uechi, D. Yamada and K. Yamada.

A resolution (H.R. No. 690) calling for an interim study of the Executive Office on Aging was jointly offered by Representatives Kamalii, Aki, Shito, Anderson, Crozier, Evans, Hashimoto, Holt, Ikeda, Inaba, Kiyabu, Kunimura, Lacy, Larsen, Lee, Lunasco, Medeiros, Morioka, Sakamoto, Segawa, Suwa, Takitani and Uwaine.

A resolution (H.R. No. 692) requesting the Department of Health to conduct a study of health screening services in Hawaii was offered by Representative Baker.

A resolution (H.R. No. 693) requesting support and funding for the Language Arts Multicultural Program (LAMP) was jointly offered by Representatives Takamine, Inaba, Segawa, Suwa and K. Yamada.

A resolution (H.R. No. 694) relating to nuclear power plants was jointly offered by Representatives Hagino, Aki, Baker, de Heer, Fukunaga, Hashimoto, Holt, Kobayashi, Larsen, Masutani, Narvaes, Sakamoto, Say, Takitani, Toguchi, Uwaine and D. Yamada.

A resolution (H.R. No. 695) requesting the Department of Health and Education to study the needs and public provisions of exceptional children in the state and to make appropriate provisions and recommendations was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Ushijima and D. Yamada.

A resolution (H.R. No. 696) requesting the United States Congress to grant additional funds to the State of Hawaii Crippled Children Services Program for the treatment and care of immigrant children was jointly offered by Representatives Segawa, Aki, Anderson, Baker, Blair, Dods, Evans, Hagino, Honda, Ige, Kawakami, Kiyabu, Kobayashi, Lacy, Lee, Lunasco, Machida, Marumoto, Say, Shito, Stanley, Sutton, Takamine, Takitani, Ushijima, Uwaine and D. Yamada.

A resolution (H.R. No. 697) requesting the Department of Personnel Services to speed recruitment practices and the release of funds to stimulate employment was jointly offered by Representatives Takamine, de Heer, Kiyabu, Kunimura and Nakamura.

A concurrent resolution (H.C.R. No. 165) requesting that the Honokaa Hospital development project be assigned the highest priority and that the development project proceed as expeditiously as possible was jointly offered by Representatives Takamine, Aki, Garcia, Hagino, Holt, Honda, Inaba, Kiyabu, Sakamoto, Segawa, Suwa, Uechi, D. Yamada and K. Yamada.

A concurrent resolution (H.C.R. No. 166) requesting a study on the feasibility of establishing a facility to transport certain agricultural wastes for land reclamation in the County of Hawaii was jointly offered by Representatives Takamine, Aki,

Garcia, Hagino, Holt, Honda, Inaba, Kiyabu, Sakamoto, Segawa, Suwa, Uechi, D. Yamada and K. Yamada.

A concurrent resolution (H.C.R. No. 167) requesting the Departments of Health and Education to study the needs and public provisions of exceptional children in the state and to make appropriate provisions and recommendations was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Ushijima and D. Yamada.

A concurrent resolution (H.C.R. No. 168) requesting the United States Congress to grant additional funds to the State of Hawaii Crippled Children Services Program for the treatment and care of immigrant children was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Ushijima and D. Yamada.

A concurrent resolution (H.C.R. No. 169) requesting the Department of Personnel Services to speed recruitment practices and the release of funds to stimulate employment was jointly offered by Representatives Takamine, de Heer, Kiyabu, Kunimura and Nakamura.

THIRD READING

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

S.B. No. 654

On motion by Representative Blair, seconded by Representative Shito, S.B. No. 654, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", passed Third Reading by a vote of 43 ayes, with Representatives Anderson, Garcia, Holt, Morioka, Narvaes, Sakamoto, Toguchi and Uechi being excused.

S.B. No. 698

On motion by Representative Blair, seconded by Representative Shito, S.B. No. 698, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", passed Third Reading by a vote of 43 ayes, with Representa-

tives Anderson, Garcia, Holt, Morioka, Narvaes, Sakamoto, Toguchi and Uechi being excused.

S.B. No. 483

On motion by Representative Takitani, seconded by Representative Kawakami, S.B. No. 483, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS", passed Third Reading by a vote of 43 ayes, with Representatives Anderson, Garcia, Holt, Morioka, Narvaes, Sakamoto, Toguchi and Uechi being excused.

S.B. No. 32, SD 2

On motion by Representative Segawa, seconded by Representative D. Yamada, S.B. No. 32, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 2)", passed Third Reading by a vote of 43 ayes, with Representatives Anderson, Garcia, Holt, Morioka, Narvaes, Sakamoto, Toguchi and Uechi being excused.

S.B. No. 1117

On motion by Representative Dods, seconded by Representative Masutani, S.B. No. 1117, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", passed Third Reading by a vote of 43 ayes, with Representatives Anderson, Garcia, Holt, Morioka, Narvaes, Sakamoto, Toguchi and Uechi being excused.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 1252, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Inaba, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1252, HD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B.

No. 48, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 48, HD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 544, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 544 and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1322, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1322, HD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 38, HD 2, as amended by the Senate, was taken from the Clerk's

desk.

On motion by Representative Lunasco, seconded by Representative Say and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 38, HD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1686, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Lee and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1686, HD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

At this time, birthday greetings were extended to Representative Sutton on behalf of the members of the House.

Representative Kunimura then rose to make a late introduction. He introduced Mr. Izumi Matsuda who has been with the UPW for many years.

ADJOURNMENT

At 11:52 o'clock a.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned until 11:00 o'clock a.m., tomorrow, April 6, 1979.

FIFTY-FIRST DAY

Friday, April 6, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Mark Guerin, Director of Pro-Life, after which the Roll was called showing all members present with the exception of Representatives Anderson, Baker, Garcia, Holt, Inaba, Kawakami, Kobayashi, Larsen, Machida, Morioka, Narvaes, Sakamoto, Segawa, Toguchi, Uechi and D. Yamada, who were excused.

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

On motion by Representative K. Yamada, seconded by Representative Evans and carried, reading of the Journal was dispensed with and the Journal of the Forty-Third Day was approved.

By unanimous consent, reading and approval of the Journal of the Fiftieth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 427 to 431) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 427) returning House Concurrent Resolution No. 119, which was adopted by the Senate on April 5, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 428) transmitting Senate Concurrent Resolution No. 84, congratulating and commending the Board of Directors, the Executive Director, the staff, and all persons responsible for the successful and effective operation of Hale Opio Kauai, Inc., at Puhi, Kauai, which was adopted by the Senate on April 5, 1979, was placed on file.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, S.C.R. No. 84 was adopted.

A communication from the Senate (Sen. Com. No. 429) transmitting Senate Concurrent Resolution No. 85, extending congratulations and aloha to the Oahu AJA Veterans Council for a successful 1979 Nisei Veterans Reunion, which was adopted by the Senate on April 5, 1979, was placed on file.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, S.C.R. No. 85 was adopted.

A communication from the Senate (Sen. Com. No. 430) transmitting Senate Concurrent Resolution No. 86, extending congratulations to the Legislative Reference Bureau, under Director Samuel B.K. Chang, for winning the 1978 National Conference of State Legislatures Outstanding Legislative Research Reports competition, which was adopted by the Senate on April 5, 1979, was placed on file.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, S.C.R. No. 86 was adopted.

A communication from the Senate (Sen. Com. No. 431) transmitting Senate Concurrent Resolution No. 57, SD 1, requesting the Director of Personnel Services to review compensation plans of secretarial classes of the civil service, which was adopted by the Senate on April 5, 1979, was placed on file.

By unanimous consent, further action on S.C.R. No. 57 was deferred until later in the calendar.

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

Representative Nakamura introduced 60 third grade students from King's Bible School in Wahiawa. They were accompanied by their teachers, Mrs. Sugimoto, Miss Sullivan and Mrs. Nishimoto.

Representative Say introduced 23 second grade students from Aliiolani Elementary School. They were accompanied by their teacher, Mrs. Nakamine, and Room Mother, Mrs. Laura Doi.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 686 to 690 and 692 to 697) and concurrent resolutions (H.C.R. Nos. 165 to 169 and S.C.R. No. 57) were disposed of

as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
686	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Housing
687	Committee on Health
688	Jointly to the Committees on Agriculture and Ecology and Environmental Protection, then to the Committee on Finance
689	Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
690	Committee on Youth and Elderly Affairs, then to the Committee on Legislative Management
692	Committee on Health, then to the Committee on Finance
693	Jointly to the Committees on Culture and the Arts and Education, then to the Committee on Finance
694	Jointly to the Committees on Energy and Consumer Protection and Commerce, then to the Committee on Legislative Management
695	Jointly to the Committees on Health and Education, then to the Committee on Finance
696	Jointly to the Committees on Health and Youth and Elderly Affairs
697	Jointly to the Committees on Public Employment and Government Operations and Employment Opportunities and Labor Relations

H.C.R. Nos.

165	Committee on Health
166	Jointly to the Committees on Agriculture and Ecology and Environmental Protection, then to the Committee on Finance
167	Jointly to the Committees on Health and Education, then to the Committee on Finance
168	Jointly to the Committees on Health and Youth and Elderly Affairs
169	Jointly to the Committees on Public Employment and Govern-

ment Operations and Employment Opportunities and Labor Relations

S.C.R. No.

57	Committee on Public Employment and Government Operations, then to the Committee on Finance
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COMMITTEE REASSIGNMENTS

The following resolutions were re-referred as follows:

H.R. Nos. Re-referred to:

183	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Judiciary, then to the Committee on Legislative Management
186	Jointly to the Committees on Housing and Consumer Protection and Commerce, then to the Committee on Legislative Management
645	Committee on Youth and Elderly Affairs

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1041) informing the House that House Resolution Nos. 685 to 701, House Concurrent Resolution Nos. 165 to 169, and Standing Committee Report Nos. 1038 to 1040, have been printed and distributed.

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

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1042) recommending that H.R. No. 626 be referred to the Committee on Education.

On motion by Representative Shito, seconded by Representative Lee and carried, the report of the Committee was adopted and H.R. No. 626, entitled: "HOUSE RESOLUTION REQUESTING THAT THE BRANTLEY CENTER, INC., FOR THE HANDICAPPED BE AUTHORIZED THE USE OF THE VACANT TEACHERS COTTAGES AT HONOKAA SCHOOL AND THAT THE HAWAII HOUSING AUTHORITY TURN OVER MAINTENANCE, RENOVATION, AND REFURBISHING RESPONSIBILITY FOR THESE COTTAGES TO THE DEPARTMENT OF ACCOUNTING

AND GENERAL SERVICES", was referred to the Committee on Education.

Representatives Segawa and Lunasco, for the Committees on Health and Education, presented a joint report (Stand. Com. Rep. No. 1043) recommending that H.R. No. 511, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative K. Yamada and carried, the joint report of the Committees was adopted and H.R. No. 511, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT ASBESTOS BUILDING MATERIALS IN PUBLIC SCHOOL CLASSROOMS BE IDENTIFIED", was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1044) recommending that H.R. No. 597 be referred to the Committee on Water, Land Use, Development and Hawaiian Affairs.

On motion by Representative Shito, seconded by Representative Lee and carried, the report of the Committee was adopted and H.R. No. 597, entitled: "HOUSE RESOLUTION REQUESTING INITIATION OF A SECOND INCREMENT TO THE KAHEI HOUSELOTS SUBDIVISION", was referred to the Committee on Water, Land Use, Development and Hawaiian Affairs.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1045) recommending that H.C.R. No. 145 be referred to the Committee on Water, Land Use, Development and Hawaiian Affairs.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING INITIATION OF A SECOND INCREMENT TO THE KAHEI HOUSELOTS SUBDIVISION", was referred to the Committee on Water, Land Use, Development and Hawaiian Affairs.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1046) recommending that H.R. No. 434, as amended in HD 1, be referred to the Committee on Finance.

Representative Dods moved that

the report of the Committee be adopted and H.R. No. 434, HD 1, be referred to the Committee on Finance, seconded by Representative Masutani.

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

"Mr. Speaker, the Committee report talks about studying the feasibility of establishing contra-flow lanes on the Pali Highway. Sir, this goes through Nuuanu. Nuuanu was in existence as a community many years before the other side of the island was developed and any Trans-Koolau highway was ever in existence. The people that I represent should not be punished because the TH-3 did not go through. That would have gone through another Trans-Koolau corridor and it would have relieved the congestion in our valley. We have great difficulty getting out onto that Pali Highway as it is. With a contra-flow lane, it will become greatly increased.

I have gone back to Washington, D.C. and talked with the various officials, and I was able to get a stop light at Laimi Road even though it was a federal aid highway. But we do not wish to have contra-flow lanes that will disturb our people in Nuuanu on getting out to the Pali Highway.

Therefore, I would ask that you, Mr. Speaker, and the Majority, including those from the Waianae area, and the Minority, to vote against this even being referred to Finance."

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

"Mr. Speaker, the purpose of this resolution is to request a study. If the Representative from Nuuanu feels so strongly about it, I suggest that he contact the Department of Transportation and get on the study committee to take care of his concerns.

Thank you very much."

Representative Sutton was recognized and he stated:

"Mr. Speaker, I am speaking in rebuttal but I think there is an assumption that I can be assured of getting on that committee then. Would you ask the head of Transportation if he will so recommend."

The Chair remarked:

"There is no such assurance."

The motion was put by the Chair

and carried, and the report of the Committee was adopted and H.R. No. 434, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF ESTABLISHING CONTRA-FLOW LANES AT SELECTED LOCATIONS ON THE PALI HIGHWAY DURING PEAK TRAFFIC HOURS", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1047) recommending that H.R. No. 604, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.R. No. 604, HD 1, entitled: "HOUSE RESOLUTION REQUESTING RECONSTRUCTION OF A CULVERT AND CONSTRUCTION OF A GUARDRAIL AT SOUTH HILO", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1048) recommending that H.R. No. 605, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.R. No. 605, HD 1, entitled: "HOUSE RESOLUTION REQUESTING RECONSTRUCTION OF THE INTERSECTION AT HAWAII BELT ROAD AND THE HONOKAA/WAIPIO ROAD IN HAMAKUA", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 708 and 709) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 708) honoring Hokushin and Shuzo, two artists of Hawaii, on their forthcoming shows was jointly offered by Representatives Say, Hagino and Uwaine.

On motion by Representative Say, seconded by Representative Hagino and carried, H.R. No. 708 was adopted.

A resolution (H.R. No. 709) extending aloha and best wishes to the Key Club and Key-Wanettes at convention

time was jointly offered by Representatives Kunimura, Aki, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Hagino, Hashimoto, Honda, Ige, Kawakami, Kihano, Kiyabu, Kobayashi, Lunasco, Machida, Marumoto, Nakamura, Peters, Say, Shito, Stanley, Suwa, Takamine, Ushijima, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Kunimura, seconded by Representative Ushijima and carried, H.R. No. 709 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 702 to 707 and 710) and concurrent resolutions (H.C.R. Nos. 170 and 171) were referred to the Committee on Legislative Management and further action was deferred until Monday, April 9, 1979:

A resolution (H.R. No. 702) relating to the North Kohala District was jointly offered by Representatives Takamine, Inaba, Segawa, Suwa and K. Yamada.

A resolution (H.R. No. 703) relating to sandalwood trade with China was jointly offered by Representatives Say, Baker, Crozier, de Heer, Fukunaga, Hagino, Lunasco, Masutani, Uwaine and Holt.

A resolution (H.R. No. 704) relating to housing for the elderly was jointly offered by Representatives Aki, Peters, Shito, Baker, Crozier, Garcia, Hagino, Hashimoto, Holt, Honda, Inaba, Kihano, Kiyabu, Kobayashi, Kunimura, Lunasco, Machida, Marumoto, Masutani, Sakamoto, Say, Segawa, Stanley, Sutton, Suwa, Takitani, Uechi, Uwaine, D. Yamada and K. Yamada.

A resolution (H.R. No. 705) requesting a study of the feasibility of constructing public restroom facilities at strategic locations in the parking lot areas on the grounds of Aloha Stadium was offered by Representative Ushijima.

A resolution (H.R. No. 706) requesting a feasibility study of establishing a decentralized legislative network through interactive electronic means was offered by Representative de Heer.

A resolution (H.R. No. 707) relating to the rights of elderly persons living in multi-unit residential buildings usually financed by lessees' payments for an estate for a life tenancy in a unit and operation and maintenance costs was jointly offered by Representatives Aki and Ige.

A resolution (H.R. No. 710) requesting a feasibility study of the use of drugs

in optometric practice was jointly offered by Representatives Blair, Segawa and Ige.

A concurrent resolution (H.C.R. No. 170) relating to the North Kohala District was jointly offered by Representatives Takamine, Inaba, Segawa, Suwa and K. Yamada.

A concurrent resolution (H.C.R. No. 171) urging the Department of Labor and Industrial Relations to enforce regulations requiring the conduct of safety instruction programs was jointly offered by Representatives Peters and Takamine.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 1, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Kunimura and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

By unanimous consent, H.B. No. 2, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Kunimura and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 2, HD 1, SD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

By unanimous consent, H.B.

No. 14, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Kunimura and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 14, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

By unanimous consent, H.B. No. 20, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Kunimura and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 20, HD 1, SD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

By unanimous consent, H.B. No. 1473, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Kunimura and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1473, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

By unanimous consent, H.B. No. 1639, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Kunimura and carried, the House disagreed to the amendments proposed by the

Senate in House Bill No. 1639, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

By unanimous consent, H.B. No. 1232, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kiyabu, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1232, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 82, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 82, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 166, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 166, HD 1, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 181, HD 1, as amended by the

Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 181, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 479, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 479, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 531, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 531, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 556, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 556, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 748, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 748, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1216, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1216, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1341, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1341, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1459, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1459, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B.

No. 1588, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1588, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

At this time, the Chair stated:

"The Chair requests that we have House Resolution 684 read throughout by the Clerk in honor of our guests."

The Clerk then read House Resolution 684, extolling the virtues of culinary arts in Hawaii and urging full community support for the 1979 Culinary Arts and Suppliers Exposition, which was adopted on April 4, 1979.

Representative Kunimura then rose and stated:

"Mr. Speaker, we have had so many visitors to this chamber year after year, but it has always been my high pleasure to have these people visit with us because they portray, to many of us, the kind of dream that we, in the Legislature, have talked about and put our efforts in, and appropriated the money and built the physical facilities and supported with appropriations to carry out the program.

Hawaii being a very highly tourist-oriented state and food is so important and our tourist industry in general, that it has always been the practice, in the past, to import these specially skilled and trained people who are trained to prepare the food for the guests in the hotels, and they are called chefs.

Now, because of the foresight and the subscription by the Legislature of the State of Hawaii, we have now, for several years, carried out the training of our own people of Hawaii to get into this field. It used to be almost a closed shop, and an old, old profession so technical and so difficult a profession to put all the raw material together and make it what it is on the table or the dining room that many of the old masters never really shared with the apprentice coming into the field. But, we have had some very dedicated people that have decided to teach our youngsters

all the secret that's necessary to make the food, not only taste good, but look good, and to these people we are eternally indebted to.

Now, this program, Mr. Speaker, in its inception, needed all kinds of community support and it was through the purveyors and the others who are in the food service industry that thought about this festival-type of get-together so that all the people would recognize and realize what our educational system is really doing.

And, this is why this 8th Annual Culinary Arts and Suppliers Exposition is so important. I hope all the members of this House will encourage, not only their staff and their friends to attend this particular function from 12:00 noon to 7:00 p.m. this Sunday, and that is the day after tomorrow, at the Hilton Hawaiian Village and it is open to the public and many of the things -- the raw materials and everything else -- have been donated by many of the suppliers, and even the Hilton Hawaiian Village Coral Ballroom was donated by the Hilton Hotel. And there is going to be again, many, many shows going on by our own people, making ice carvings, carving vegetables, and you'll see really a Disneyland of food, and they call it the 'Wonderful World of Culinary Arts', and I hope we can all be there. I know I will, and I know Representative Suwa will because we love food, but with your kind permission, Mr. Speaker, if I may introduce our special guests."

Representative Kunimura then introduced the following: Mr. Eugene Kaneshiro, Chairman of K-79; Mr. Mack Kaneshiro, President of the Professional Cooks of Hawaii; Mr. Carroll Malenkon, U.S. Army Food Services; and Mr. Alan Wong, Kapiolani Community College student; Miss Venice Deliso, Honolulu Community College Food Service; and Mr. Wolters, President and chef de cuisine.

Representatives Suwa, Kamalii, Fukunaga, Hashimoto, Ikeda, Stanley and Marumoto then presented floral leis to the honored guests, and Representative Kunimura presented them with certified copies of the resolution.

At 11:37 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "to meet the honored guests."

Upon reconvening at 11:53 o'clock

a.m., the Chair directed the Clerk to note the presence of Representatives Baker, Kawakami, Kobayashi, Machida, Segawa and D. Yamada.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 173, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 173, HD 1, SD 1, and requested a conference on the subject matter of said amendments inasmuch as "apparently there has been a defect in the way that the language is drafted so we need to change it in conference."

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 732, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 732, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 890, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 890, HD 1, SD 3, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1215, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kawakami, seconded by Representative Fukunaga

and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1215, HD 1, SD 3, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1642, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1642, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 92, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 92, HD 2, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 95, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 95, HD 2, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 98, HD 2, as amended by the

Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 98, HD 2, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 99, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 99, HD 1, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 102, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 102, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 282, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 282, HD 1, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 421, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 421, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 424, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 424, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 438, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 438, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 451, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 451, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 643, HD 1, as amended by the

Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 643, HD 1, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 723, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 723, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 921, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 921, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 923, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 923, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1004, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1004, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1140, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1140, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1386, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1386, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1557, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1557, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1634, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1634, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1646, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1646, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1671, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1671, HD 1, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1716, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1716, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No.

1647, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1647, HD 2, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 80, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Aki, seconded by Representative Ige and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 80, HD 2, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 520, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Aki, seconded by Representative Ige and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 520, HD 1, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1627, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Aki, seconded by Representative Ige and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1627, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the

House was deferred.

By unanimous consent, H.B. No. 1143, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Dods, seconded by Representative Masutani and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1143, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1432, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Dods, seconded by Representative Masutani and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1432, HD 1, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 1667, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Dods, seconded by Representative Masutani and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 1667, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

At 12:05 o'clock p.m., upon request by Representative D. Yamada, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:11 o'clock p.m.

By unanimous consent, H.B. No. 417, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Takitani, seconded by Representative K. Yamada and carried, the House disagreed

to the amendments proposed by the Senate in House Bill No. 417, HD 2, SD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 583, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Takitani, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate in House Bill No. 583, HD 2, SD 2, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

APPOINTMENT OF CONFERENCE COMMITTEES

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1096, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1097, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1098, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes

and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1099, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1100, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1101, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1102, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1103, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1104, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto,

Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1105, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1106, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1108, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 48, HD 2, SD 2, and the request for a conference on the subject matter of said amendments, Representatives Takamine, Chairman; de Heer, Kiyabu, Machida and Marumoto were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 544, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Takamine, Chairman; Dods, Hagino, Say and Medeiros were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1686, HD 2, SD 3, and the request for a conference on the subject matter of said amendments, Representatives Shito, Chairman; Aki, Ige, Lee, Ushijima and Lacy were appointed as Managers on the part of the House at such conference.

At this time, the Chair stated:

"It is intended that the House will convene on Monday at 10:00 o'clock a.m.

ADJOURNMENT

At 12:18 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 10:00 o'clock a.m. on Monday, April 9, 1979.