

THIRTIETH DAY

Wednesday, March 11, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m. with the Speaker presiding.

The Divine Blessing was invoked by Reverend Charles Sundry representing Gloria Dei Lutheran Church, after which the Roll was called showing all members present with the exception of Representatives Aki and Andrews who were excused.

By unanimous consent, reading of the Journal was deferred.

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

Representative Kawakami introduced thirty-eight students from Waimea High School, accompanied by their teacher, Mrs. Moriguchi along with Mr. Moriguchi.

Representative Kunimura introduced the delegates of the Seventh Annual Kauai Senior Legislative group: Robert Hopkins, Odelia Duarte, Elena Barbasa, Hanako Tomita, Mary Ferreira, Hisako Sakata, Jose' Pablo, Basilio B. Fuertes, Sr., Daniel Tumbaga, Robert Riola, Mary Ventura, Alice Wedemeyer, Ellie Lloyd and Kealoha Takahashi.

Representative Dods introduced fifty fifth grade students from Hahaione Elementary School who were accompanied by their teachers, Carol Furukawa and Annette Takahashi. Among the fifth grade students was the son of Representative Dods.

Representative Wong introduced John Pennebacker, a member of the Board of Education.

Representative Kunimura introduced former representative Kenneth Lee.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the rules were suspended for the purpose of considering a resolution out of order.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by the Clerk and disposed of as follows:

A resolution (H.R. No. 372) commending and urging the continuation of the Quick Kokua Program was jointly offered by Representatives Waihee, Peters, Albano, Nakasato, Aki, Narvaes, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Ige, Kiyabu, Kunimura, Okamura, Segawa, Stanley, Takamine, Taniguchi, Toguchi, Tungpalan and Yamada.

On motion by Representative Waihee, seconded by Representative Albano and carried, H.R. No. 372 was adopted.

Representative Waihee rose and stated: "Mr. Speaker, on behalf of yourself, Representatives Albano, Aki, Nakasato, Narvaes and myself, it gives me great pleasure to introduce Mrs. Leiola Wu, who is the director of the Quick Kokua Program and who is representing the Governor's office. I would like to introduce the Farrington and Waianae Quick Kokua Staff. From Farrington, may I introduce Mr. Mike Wong, who is its director, and his staff, Mrs. Frances Tatei, secretary; Mr. Ernest Yogi, employment counselor; Mr. Walter Wong, employment counselor; Mrs. Mollie Prine-Smith, public health nurse; Mrs. Lynn Renald, social worker; Mrs. Sharon Khalm, social worker; and from the Waianae Quick Kokua, we have Mr. Charles Barenaba, director; Mrs. Eunice Uyeda, secretary; Mrs. Lynn Mirikitani, social worker; Mr. Ronald Chinen, social worker; Mrs. Frances Shiraki, project aide; Mrs. Sandi Chang, public health nurse and Mr. Roy Matsumoto, employment counselor."

At this time, Representative Narvaes presented a lei to Mrs. Leiola Wu, Representative Hashimoto presented a lei to Mr. Mike Wong and Representative Tungpalan presented a lei to Mr. Charles Barenaba.

Certified copies of the resolution were presented to the honorees at this time. Representative Aki presented a copy to Mr. Charles Barenaba, Representative Nakasato presented a copy to Mrs. Leiola Wu and Representative Albano presented

a copy to Mr. Mike Wong.

At 11:55 o'clock a.m., the Chair declared a recess for the purpose of extending best wishes to the honorees, subject to the call of the Chair.

The House of Representatives reconvened at 11:58 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative Chun, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 502) recommending that H.R. No. 97 be adopted.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 97 entitled: "HOUSE RESOLUTION RECOGNIZING AND CELEBRATING 1981 AS THE INTERNATIONAL YEAR OF DISABLED PERSONS AND REAFFIRMING THE STATE'S EFFORTS FOR THE HANDICAPPED", was adopted.

Representative Chun, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 503) recommending that H.C.R. No. 25 be adopted.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.C.R. No. 25 entitled: HOUSE CONCURRENT RESOLUTION RECOGNIZING AND CELEBRATING 1981 AS THE INTERNATIONAL YEAR OF DISABLED PERSONS AND REAFFIRMING THE STATE'S EFFORTS FOR THE HANDICAPPED", was adopted.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 504) recommending that H.B. No. 506, as amended in HD1, be recommitted.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 506, HD1 entitled: "A BILL FOR AN ACT RELATING TO COMMUNICABLE DISEASES", was recommitted to the Committee on Health.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 505) recommending that H.R. No. 82 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. 82 entitled: "HOUSE RESOLUTION CONCERNING THE ORGANIZATION OF THE DEPARTMENT OF HEALTH", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 506) recommending that H.R. No. 48 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. 48 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MONITOR AND EVALUATE THE PILOT DAY HOSPITAL PROJECT AT MALUHIA HOSPITAL", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 507) recommending that H.C.R. No. 16 be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, H.C.R. No. 16 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MONITOR AND EVALUATE THE PILOT DAY HOSPITAL PROJECT AT MALUHIA HOSPITAL", was referred to the Committee on Finance.

Representatives Segawa and Chun, for the Committees on Health and Public Assistance and Human Services, presented a joint report (Stand. Com. Rep. No. 508) recommending that H.R. No. 47 be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Chun and carried, the joint report of the Committees was adopted and H.R. No. 47 entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW FEDERAL STATUTES AND REGULATIONS REGARDING MEDICAID REIMBURSEMENT OR PAYMENT TO PROVIDERS OF HEALTH CARE SERVICES WHICH ARE ALTERNATIVE TO LONG-TERM CARE INSTITUTIONALIZATION", was referred to the Committee on Finance.

Representatives Segawa and Chun,

for the Committees on Health and Public Assistance and Human Services, presented a joint report (Stand. Com. Rep. No. 509) recommending that H.C.R. No. 14 be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Chun and carried, the joint report of the Committees was adopted and H.C.R. No. 14 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW FEDERAL STATUTES AND REGULATIONS REGARDING MEDICAID REIMBURSEMENT OR PAYMENT TO PROVIDERS OF HEALTH CARE SERVICES WHICH ARE ALTERNATIVE TO LONG-TERM CARE INSTITUTIONALIZATION", was referred to the Committee on Finance.

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report of the majority of the Committee (Stand. Com. Rep. No. 510) recommending that H.B. No. 1464, as amended in HD1, be recommitted to the Committee on Energy, Ecology and Environmental Protection.

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the majority of the Committee was adopted and H.B. No. 1464, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF ENVIRONMENT", was recommitted to the Committee on Energy, Ecology and Environmental Protection.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 511) recommending that H.B. No. 570, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 570, HD1 entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC HEALTH AND MORALS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 512) recommending that H.B. No. 368, as amended in

HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 368, HD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 513) recommending that H.B. No. 732, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 732, HD1 entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER", passed Second Reading and was placed on the calendar for Third Reading.

Representative Chun, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 514) recommending that H.B. No. 786 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 786 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 515) recommending that H.B. No. 1471, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 1471, HD1 entitled: "A BILL FOR AN ACT RELATING TO BANKS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 516) recommending that H.B. No. 1763, as amended in HD1, pass

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

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 1763, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 517) recommending that H.B. No. 160, as amended in HD 1, be recommitted to the Committee on Transportation.

On motion by Representative Dods, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 160, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY HIGHWAYS, SIDEWALKS, WHARVES", was recommitted to the Committee on Transportation.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 382 to 385) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 382) recognizing Reed Sunahara, Hilo High School All-State Athlete, and extending best wishes for continued success was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Takamine, seconded by Representative Isbell and carried, H.R. No. 382 was adopted.

A resolution (H.R. No. 383) congratulating Sadao Muramaru for being the recipient of the Silver Beaver Award was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros,

Monahan, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Takamine, seconded by Representative Isbell and carried, H.R. No. 383 was adopted.

A resolution (H.R. No. 384) honoring Hawaii Kai on the occasion of its 20th anniversary celebration was jointly offered by Representatives Dods, Ikeda, Aki, Albano, Anderson, Chun, de Heer, Fukunaga, D. Hagino, Honda, Kiyabu, Kobayashi, Marumoto, Matsuura, Medeiros, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Toguchi, Waihee and Wong.

On motion by Representative Dods, seconded by Representative Ikeda and carried, H. R. No. 384 was adopted.

A resolution (H.R. No. 385) extending aloha and congratulations to Mr. Taikichi Minami, leading exhibitor at Portopia, '81, the creation of an offshore cultural city was jointly offered by Representatives Kawakami, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kihano, Kiyabu, Kobayashi, Kunimura, Matsuura, Monahan, Nakamura, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Kawakami, seconded by Representative Kunimura and carried, H.R. No. 385 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 373 to 381) and concurrent resolutions (H.C.R. Nos. 170 to 172) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 373) requesting the County of Hawaii to give immediate attention to the reported nonexistence of a dump site in the County for pesticides and pesticide containers and to take appropriate action was jointly offered by Representatives Takamine, Albano, Andrews, de Heer, D. Hagino, G. Hagino, Hashimoto, Hirono, Ige, Isbell, Kawakami, Kiyabu, Kunimura, Levin, Matsuura, Morioka, Nakasato, Say, Segawa, Stanley, Takitani, Toguchi and Tungpalan.

A resolution (H.R. No. 374) requesting a feasibility study for implementing livestock and agricultural programs throughout the statewide correctional system was jointly offered by Representatives Levin, Honda, Isbell, Matsuura, Segawa, Takamine and Taniguchi.

A resolution (H.R. No. 375) requesting a comprehensive review and assessment of the state's Energy Conservation Program was offered by Representative Baker.

A resolution (H.R. No. 376) requesting Congress to consider enacting legislation providing tax relief for persons who make building improvements to conform to fire safety laws was jointly offered by Representatives Kamali'i, Aki, Albano, Anderson, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Kawakami, Kihano, Kiyabu, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Morioka, Nakasato, Narvaes, Okamura, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

A resolution (H.R. No. 377) concerning changes in the blood quantum requirements for lessees of Hawaiian home lands was jointly offered by Representatives Kamali'i, Aki, Albano, Anderson, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Kawakami, Kihano, Kiyabu, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Morioka, Nakasato, Narvaes, Okamura, Say, Segawa, Shito, Stanley, Takamine, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

A resolution (H.R. No. 378) requesting a study of the feasibility of relocating all fuel storage facilities to the Barbers Point deep draft harbor was jointly offered by Representatives Dods, Aki, Albano, Anderson, Andrews, de Heer, Hashimoto, Ikeda, Kihano, Kiyabu, Kunimura, Marumoto, Matsuura, Nakasato, Sakamoto, Say, Stanley, Toguchi, Tungpalan and Waihee.

A resolution (H.R. No. 379) concerning the posting of a special bond by non-signatory domestic air carriers serving Hawaii was

jointly offered by Representatives Dods, Albano, Andrews, Baker, de Heer, Hashimoto, Ikeda, Kihano, Kiyabu, Kunimura, Marumoto, Nakasato, Say, Stanley, Takitani, Taniguchi, Tungpalan and Waihee.

A resolution (H.R. No. 380) requesting a study of transportation needs of the handicapped was jointly offered by Representatives Dods, Segawa, Albano, de Heer, Ikeda, Kiyabu, Nakasato, Takitani and Tungpalan.

A resolution (H.R. No. 381) requesting the legislative auditor to study and report on who can best manage the county/state hospital system was offered by Representative Andrews.

A concurrent resolution (H.C.R. No. 170) requesting a comprehensive review and assessment of the state's energy conservation program was offered by Representative Baker.

A concurrent resolution (H.C.R. No. 171) concerning changes in the blood quantum requirements for lessees of Hawaiian Home Lands was jointly offered by Representatives Kamali'i, Aki, Albano, Anderson, Baker, Blair, Chun, D. Hagino, G. Hagino, Hirono, Ikeda, Isbell, Lacy, Levin, Liu, Marumoto, Morioka, Nakasato, Narvaes, Okamura, Segawa, Shito, Stanley, Taniguchi, Tungpalan and Wong.

A concurrent resolution (H.C.R. No. 172) requesting the legislative auditor to study and report on who can best manage the county/state hospital system was offered by Representative Andrews.

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

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

SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Rohlfiing and carried, the rules were suspended for the purpose of considering bills for Third Reading on a modified consent calendar.

THIRD READING

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

action taken:

H.B. No. 270, HD 1:

On motion by Representative Baker, seconded by Representative Blair, H.B. No. 270, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ACCESS AND THE ENCOURAGEMENT OF SOLAR ENERGY SYSTEM UTILIZATION", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

H.B. No. 754, HD 1:

On motion by Representative Matsuura, seconded by Representative G. Hagino, H.B. No. 754, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL FISH REPORTS", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

H.B. No. 461, HD 1:

On motion by Representative Blair, seconded by Representative Nakamura, H.B. No. 461, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUORS", passed Third Reading by a vote of 48 ayes to 1 no, with Representative Levin voting no, and Representatives Aki and Andrews being excused.

The Chair directed the Clerk to note that H.B. Nos. 270, 754 and 461 had passed Third Reading at 12:31 o'clock p.m.

H.B. No. 526, HD 1:

On motion by Representative Blair, seconded by Representative Hirono, H.B. No. 526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUORS", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

H.B. No. 477, HD 1:

On motion by Representative Blair, seconded by Representative Hirono, H.B. No. 477, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE OF HOUSEHOLD FURNITURE AND FURNISHINGS IN DWELLING HOUSES", passed Third Reading by a vote of 49 ayes with Representatives Aki and Andrews being excused.

H.B. No. 772, HD 1:

On motion by Representative Blair, seconded by Representative Hirono, H.B. No. 772, HD 1, entitled: "A

BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

The Chair directed the Clerk to note that H.B. Nos. 526, 477, and 772 had passed Third Reading at 12:33 o'clock p.m.

H.B. No. 328, HD 1:

On motion by Representative Blair, seconded by Representative Hirono, H.B. No. 328, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATIONS", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

H.B. No. 393, HD 1:

On motion by Representative Blair, seconded by Representative Hirono, H.B. No. 393, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

The Chair directed the Clerk to note that H.B. Nos. 328 and 393 had passed Third Reading at 12:34 o'clock p.m.

H.B. No. 496, HD 1:

On motion by Representative Blair, seconded by Representative Hirono, H.B. No. 496, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

H.B. No. 588, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi, H.B. No. 588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICES IN GUARDIANSHIP PROCEEDINGS", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

H.B. No. 338, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi, H.B. No. 338, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION", passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Ikeda, Marumoto and Monahan voting no,

and Representatives Aki and Andrews being excused.

The Chair directed the Clerk to note that H.B. Nos. 496, 588 and 338 had passed Third Reading at 12:35 o'clock p.m.

H.B. No. 495, HD 1:

On motion by Representative Blair, seconded by Representative Hirono, H.B. No. 495, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

H.B. No. 820, HD 1:

On motion by Representative Dods, seconded by Representative Taniguchi, H.B. No. 820, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN CONTROL SIGNALS", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

The Chair directed the Clerk to note that H.B. Nos. 495 and 820 had passed Third Reading at 12:36 o'clock p.m.

H.B. No. 200, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi, H.B. No. 200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND MORALS", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

H.B. No. 1555:

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 1555, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

H.B. No. 168, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi, H.B. No. 168, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE", passed Third Reading by a vote of 49 ayes, with Representatives Aki and Andrews being excused.

The Chair directed the Clerk to note that H.B. Nos. 200, 1555 and 168 had passed Third Reading at 12:37 o'clock p.m.

At this time, Representative Sakamoto rose to wish Representative Wong a very happy birthday.

Representative Hashimoto presented Representative Wong with a maile lei from Representative Kunimura.

Representative Sakamoto then requested that the 48-hour notice for hearings be waived on H.B. No. 1601 and the Chair stated:

"The 48-hour notice requirement is hereby waived."

Representative Nakamura then requested that the 48-hour notice for Thursday's hearing be waived and the Chair stated:

"The 48-hour notice requirement is waived."

Representative Kunimura rose and requested that the 48-hour notice for hearing be waived for the Finance Committee and the Chair stated:

"The 48-hour notice requirement is hereby waived."

At 12:45 o'clock p.m., on request by Representative Kamali'i, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:50 o'clock p.m.

ADJOURNMENT

At 12:50 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlifing and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, March 12, 1981.

THIRTY-FIRST DAY

Thursday, March 12, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Douglas R. Olson of the Calvary Lutheran Church, after which the Roll was called showing all members present with the exception of Representatives Kobayashi, Levin, Rohlfing, Shito and Waihee, who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Twenty-Third, Twenty-Fourth, Twenty-Fifth and Twenty-Sixth Days.

On motion by Representative Stanley, seconded by Representative Kamali'i and carried, reading of the Journals was dispensed with and the Journals of the Twenty-Third, Twenty-Fourth, Twenty-Fifth and Twenty-Sixth Days were approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 19 and 20) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 19) transmitting Senate Bill No. 448, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTIMATES OF THE AGGREGATE EXPENDITURES OF THE LEGISLATIVE BRANCH", which passed Third Reading in the Senate on March 11, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 20) transmitting Senate Bill No. 466, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENTS INTO THE STATE TREASURY", which passed Third Reading in the Senate on March 11, 1981, was placed on file.

On motion by Representative Stanley, seconded by Representative Kamali'i and carried, S.B. Nos. 448, SD 1, and 466, SD 1, passed First Reading by title and further action was deferred.

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

Representative Fukunaga introduced a group of students from the political science class of the Hawaii Baptist Academy. They were accompanied by their instructor, Mr. Duke Combs.

Representative Okamura introduced 104 students from Moanalua Intermediate School. They were accompanied by their teachers, Mrs. Lillian Okada and Miss Maria Fukutani; Mr. Elton Shimabukuro, school counselor; and parents, Mrs. Owens and Mrs. Maupin.

Representative Okamura then introduced 25 students from Moanalua High School. These students are from Thailand, Vietnam, Korea, the Philippines, and the People's Republic of China. They were accompanied by their coordinator, Mrs. May Shiramizu, and teachers, Miss Anita Hodges and Miss Linda Booth.

Representative Lacy introduced Vice Admiral Joe Williams, "a close personal friend who is visiting here from Connecticut. This gentleman has been an inspiration to me ever since I have known him. He grew up in a rural area of Arkansas. He finished high school and entered the Navy at the lowest enlisted rank, and from that day for some 40 years, he climbed the ladder and finished his career as a Vice Admiral."

SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Kamali'i and carried, the rules were suspended for the purpose of considering a resolution.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 386) congratulating and commending Les Murakami for his superlative accomplishments as a baseball coach and extending to him and the University of Hawaii baseball team sincere best wishes for another outstanding baseball season was jointly offered by Representatives Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Matsuura, Monahan, Morioka, Okamura, Rohlfing, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan and Waihee, and was read by the Clerk.

On motion by Representative Aki, seconded by Representative Kunimura

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

Representative Aki then rose and stated:

"Mr. Speaker and members of the House, we have with us today a member of the University of Hawaii staff who has brought great honor, not only to the University, but to the entire State of Hawaii. He is a coach with all the talents of a great coach. He can recruit, train, and plan strategy that spell victory. Not only that, he is vitally interested in each individual member of his team and guides them to their fullest potential as players, as students, and as members of our society.

It gives me great pleasure to introduce a coach of all coaches, the irreplaceable Les Murakami."

Representative Aki then asked the honoree, Les Murakami, to stand and take a bow.

Representative Stanley then presented the honoree with a red carnation lei while Representative Aki presented him with a certified copy of the resolution.

Representative Kunimura then rose and stated:

"Mr. Speaker, I have been a baseball fan, not too long, just recently, after being introduced to the University of Hawaii baseball program by our former colleague, Charlie Ushijima. And what I saw, and many of us who went out there as his guests, and he made sure that he provided rice ball, pickled plum, pickled turnip, and some teriyaki beef to entice us to go out there. What we saw there was unbelievable--the discipline, the dedication, and the camaraderie that was projected on the baseball field. Even after the game, win, lose, or draw, the team went out and prepared the field for the next day, and this kind of discipline is very rare today.

And again, Les is not only a fantastic coach, but Les is a welder of human character, because I have seen, not only the true and fine group of young gentlemen and athletes, but also a fantastic booster club that came out every night that they played--rain or shine--and supporting the team in fund raising, preparing meals for the players, and also operating the concession--the food stand--for additional funds for the

baseball team.

And what with all this greatness and human qualities, it was really disheartening, Mr. Speaker, when the moneys appropriated by the Legislature to give this team some kind of an assurance that we love them, and we support that program by appropriating the necessary funds, to have at least one portion of the backstop, you know, the grandstand, covered, and again, the stupidity of the University administration that couldn't see beyond their noses and denied the request.

Mr. Speaker, we are going to try again, and again, and again, to get the message through that education is not only through the books, but education begins by turning people on, and this is what our educators of this State are going to have to learn that not only the classroom work, but education is total.

Thank you."

At 11:53 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 best wishes to the honoree."

Upon reconvening at 11:57 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Kobayashi, Levin, Shito and Waihee.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

H.R. No. 352 was re-referred to the Committee on Youth and Elderly Affairs, then to the Committee on Finance.

STANDING COMMITTEE REPORTS

Representatives Blair and Nakamura, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 518) recommending that H.B. No. 1657 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Nakamura and carried, the joint report of the Committees was adopted and H.B. No. 1657, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST SUITS BY THE STATE; AMOUNT OF RECOVERY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Segawa, for the Committee on Health, presented a report (Stand.

Com. Rep. No. 519) recommending that H.B. No. 733 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 733, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Segawa and Toguchi, for the Committees on Health and Education, presented a joint report (Stand. Com. Rep. No. 520) recommending that H.B. No. 1679 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Toguchi and carried, the joint report of the Committees was adopted and H.B. No. 1679, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 521) recommending that H.B. No. 764 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 764, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF WILDLIFE AND PLANTS", passed Second Reading and was placed on the calendar for Third Reading.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 394 to 397) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 394) requesting the Governor of Hawaii to proclaim March 19, 1981 as "Hawaii Agriculture Day" was jointly offered by Representatives Takamine, Aki, Andrews, Baker, Blair, de Heer, G. Hagino, Hashimoto, Hirono, Honda, Isbell, Kawakami, Lacy, Levin, Liu, Marumoto, Matsuura, Morioka, Nakasato, Okamura, Sakamoto, Say, Takitani, Taniguchi, Tungpalan and Wong.

On motion by Representative Takamine,

seconded by Representative Stanley and carried, H.R. No. 394 was adopted.

A resolution (H.R. No. 395) congratulating the Kaneohe Little League Senior-Major Tournament Team for its performance in the 1980 Senior Little League World Series was jointly offered by Representatives Ige, Wong, Aki, Albano, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, Hirono, Honda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Yamada and Peters.

On motion by Representative Ige, seconded by Representative Wong and carried, H.R. No. 395 was adopted.

A resolution (H.R. No. 396) congratulating Mr. Ernie Morgado, "The Huli-Huli Chicken King of the World" was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Takamine, seconded by Representative Isbell and carried, H.R. No. 397 was adopted.

A resolution (H.R. No. 397) commending Governor Ariyoshi; Hawaii Defense Department, Civil Defense, Air National Guard and Army National Guard Divisions; Hawaii County Civil Defense Agency; Department of Water Supply; and Mayor Matayoshi for efforts to ease adverse effects of drought was jointly offered by Representatives Isbell, Lacy, Levin, Matsuura, Segawa and Takamine.

On motion by Representative Isbell, seconded by Representative Lacy and carried, H.R. No. 397 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 387 to 393) and concurrent resolutions (H.C.R. Nos. 173 and 174) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 387) requesting a study of rent control was jointly offered by Representatives Taniguchi, Chun, Honda, Kobayashi, Levin and Toguchi.

A resolution (H.R. No. 388) requesting a review of the Motor Vehicle Industry Licensing Act was jointly offered by Representatives Albano, Aki, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

A resolution (H.R. No. 389) requesting the Department of Health to establish the solid waste management plan and hazardous waste program required under the Federal Resources Conservation and Recovery Act of 1976 was offered by Representative Baker.

A resolution (H.R. No. 390) requesting the Hawaii Housing Authority to select appropriate housing sites for elderly housing projects was jointly offered by Representatives Ige, Levin, Aki, Chun, Honda, Kobayashi, Kunimura, Liu, Nakamura, Say, Segawa, Shito, Toguchi and Wong.

A resolution (H.R. No. 391) requesting the Hawaii Housing Authority to seek alternative funding sources for the construction of elderly housing projects since funding provided under the federal housing assistance payments program might be terminated was jointly offered by Representatives Ige, Levin, Aki, Chun, Honda, Kobayashi, Kunimura, Liu, Nakamura, Say, Segawa, Shito and Wong.

A resolution (H.R. No. 392) requesting a study to determine the necessity and feasibility of establishing standards for practice in the field of gerontology was jointly offered by Representatives Ige, Levin, Aki, Chun, Honda, Kobayashi, Kunimura, Lacy, Liu, Nakamura, Say, Segawa, Shito, Toguchi and Wong.

A resolution (H.R. No. 393) requesting an interim study of unifying and stabilizing public revenues by the Legislature for tourism was jointly offered by Representatives Say, Aki, Albano, Andrews, Baker, Blair, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Ikeda, Isbell, Kawakami, Kiyabu, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Okamura, Stanley, Taniguchi, Toguchi and Wong.

A concurrent resolution (H.C.R. No. 173) requesting a review of all laws relating to spouse abuse was jointly offered by Representatives Levin,

Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

A concurrent resolution (H.C.R. No. 174) requesting the Department of Health to establish the solid waste management plan and hazardous waste program required under the Federal Resources Conservation and Recovery Act of 1976 was offered by Representative Baker.

At 12:01 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:10 o'clock p.m.

SUSPENSION OF RULES

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

THIRD READING

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

H.B. No. 1022, HD 1:

On motion by Representative Blair, seconded by Representative Nakamura and carried, H.B. No. 1022, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES", passed Third Reading by a vote of 50 ayes, with Representative Rohlfing being excused.

The Chair directed the Clerk to note that H.B. No. 1022 had passed Third Reading at 12:12 o'clock p.m.

H.B. No. 1769, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 1769, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES", passed Third Reading by a vote of 49 ayes to 1 no, with Representative

Dods voting no, and Representative Rohlfling being excused.

H.B. No. 1511, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, H.B. No. 1511, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY", passed Third Reading by a vote of 50 ayes, with Representative Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 1769 and 1511 had passed Third Reading at 12:13 o'clock p.m.

H.B. No. 597, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 597, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION", passed Third Reading by a vote of 50 ayes, with Representative Rohlfling being excused.

H.B. No. 460, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 460, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCEST", passed Third Reading by a vote of 50 ayes, with Representative Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 597 and 460 had passed Third Reading at 12:14 o'clock p.m.

H.B. No. 84, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 84, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS TO PROCEED", passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Baker and D. Hagino voting no, and Representative Rohlfling being excused.

H.B. No. 339, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 339, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BALLOTS", passed Third Reading by a vote of 50 ayes, with Representative Rohlfling being excused.

H.B. No. 549, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 549, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARREST BY POLICE OFFICERS WITHOUT WARRANT", passed Third Reading by a vote of 50 ayes, with Representative Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 84, 339 and 549 had passed Third Reading at 12:15 o'clock p.m.

H.B. No. 786:

On motion by Representative Chun, seconded by Representative Kobayashi and carried, H.B. No. 786, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Third Reading by a vote of 50 ayes, with Representative Rohlfling being excused.

H.B. No. 921, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 921, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENTS INTO THE STATE TREASURY", was recommitted to the Committee on Finance inasmuch as "Senate Bill No. 466 (companion measure) has arrived."

ADJOURNMENT

At 12:20 o'clock p.m., on motion by Representative Stanley, seconded by Representative Ikeda and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, March 13, 1981.

THIRTY-SECOND DAY

Friday, March 13, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m. with the Speaker presiding.

The Divine Blessing was invoked by Reverend John W. Mullally representing Holy Trinity Rectory, after which the Roll was called showing all members present with the exception of Representative Nakasato who was excused.

By unanimous consent, reading of the Journal was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 21 and 22) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 21) returning House Concurrent Resolution No. 25, which was adopted by the Senate on March 12, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 22) transmitting Senate Bill No. 659 entitled: "A Bill for an Act relating to the licensing of itinerant vendors of medicines", which passed Third Reading in the Senate on March 12, 1981, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, S.B. No. 659 passed First Reading by title and further action was deferred.

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

Representative Liu introduced thirty-four eighth grade students from Sacred Hearts Convent with their teacher, Miss Lisa Chock.

Representative Nakamura introduced several people who are against the reliever airport at Poamoho: Susy Petersen, Chairman, Government Action Committee of the Wahiawa Community and Businessmen's Association; Laura

Bowles, Chairman of the North Shore Neighborhood Board and President of Waialua Community Association; and many other supporters who are here in the Capitol.

Representative Shito introduced students from Mililani Waena School with their teacher, Joan Sasaki.

Representative Segawa introduced two friends from Sandusky, Michigan who soon will be making their home on the Big Island: Earl and Marian Van Norman.

Representative Segawa also introduced the vice-principal from Hilo High School, Mr. Kiyoo Hamakawa, with his wife, Miki, his daughter, Faye, and his mother, Mrs. Hamakawa. Seated with the Hamakawas was Rose Ann Oda, committee secretary for Representative Segawa, from the Big Island.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills and resolution were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
1881	Committee on Judiciary
875	Committee on Public Employment and Government Operations
1590	Committee on Water, Land Use, Development and Hawaiian Affairs

<u>H.R. No.</u>	
58	Committee on Public Assistance and Human Services, then to the Committee on Legislative Management

STANDING COMMITTEE REPORTS

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 522) recommending that H.B. No. 1881, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee

was adopted and H.B. No. 1881, HD1 entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 523) recommending that H.B. No. 725 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 725 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Second Reading and was placed on the calendar for Third Reading.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 524) recommending that H.B. No. 759 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 759 entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF OCCUPATION AND HOMESTEAD LEASES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 525) recommending that H.B. No. 771 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.B. No. 771 entitled: "A BILL FOR AN ACT RELATING TO THE IMPOSITION OF RULES DURING SHORTAGES OF PETROLEUM PRODUCTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 526) recommending that H.B. No.

1595, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.B. No. 1595, HD1 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.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 527) recommending that H.B. No. 1736, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 1736, HD1 entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 528) recommending that H.B. No. 1484, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 1484, HD1 entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Ige, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 529) recommending that H.R. No. 79, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Ige, seconded by Representative Levin and carried, the report of the Committee was adopted and H.R. No. 79, HD1 entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF LAWS ON CHILD ABUSE AND NEGLECT", was referred to the Committee on Finance.

Representatives Nakamura and Honda,

for the Committees on Judiciary and Corrections and Rehabilitation, presented a joint report (Stand. Com. Rep. No. 530) recommending that H.R. No. 33, as amended in HD1 be adopted.

On motion by Representative Nakamura, seconded by Representative Honda and carried, and notwithstanding the joint recommendation of the Committees, H.R. No. 33, HD1 entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE ISSUE OF STATUS OFFENDERS", was referred to the Committee on Legislative Management.

Representatives Nakamura and Honda, for the Committees on Judiciary and Corrections and Rehabilitation, presented a joint report (Stand. Com. Rep. No. 531) recommending that H.R. No. 81 be adopted.

On motion by Representative Nakamura, seconded by Representative Honda and carried, and notwithstanding the joint recommendation of the Committees, H.R. No. 81 entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE REPORT AND RECOMMENDATIONS OF THE HAWAII STATEWIDE SENTENCING PROJECT AND OF THE SENTENCING PHILOSOPHY AND PROVISIONS OF THE HAWAII PENAL CODE", was referred to the Committee on Legislative Management.

Representatives Honda and Takitani, for the Committees on Corrections and Rehabilitation and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 532) recommending that H.R. No. 32 be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Takitani and carried, the joint report of the Committees was adopted and H.R. No. 32 entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON SECURITY PERSONNEL", was referred to the Committee on Finance.

Representatives Honda and Takitani, for the Committees on Corrections and Rehabilitation and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 533) recommending that H.C.R. No. 8 be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Takitani and carried, the joint report of the Committees was adopted and H.C.R. No. 8 entitled: "HOUSE

CONCURRENT RESOLUTION REQUESTING A STUDY ON SECURITY PERSONNEL", was referred to the Committee on Finance.

Representative Honda, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 534) recommending that H.R. No. 31 be referred to the Committee on Legislative Management.

On motion by Representative Honda, seconded by Representative Shito and carried, the report of the Committee was adopted and H.R. No. 31 entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE CAUSES WHICH INFLUENCE, ENCOURAGE, OR LEAD TO THE ESCAPE OF PRISONERS IN CORRECTIONAL FACILITIES", was referred to the Committee on Legislative Management.

Representative Honda, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 535) recommending that H.C.R. No. 7 be referred to the Committee on Legislative Management.

On motion by Representative Honda, seconded by Representative Shito and carried, the report of the Committee was adopted and H.C.R. No. 7 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE CAUSES WHICH INFLUENCE, ENCOURAGE, OR LEAD TO THE ESCAPE OF PRISONERS IN CORRECTIONAL FACILITIES", was referred to the Committee on Legislative Management.

Representative Honda, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 536) recommending that H.R. No. 197, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Shito and carried, the report of the Committee was adopted and H.R. No. 197, HD1 entitled: "HOUSE RESOLUTION REQUESTING A REVIEW AND EVALUATION OF EXISTING AND PLANNED REHABILITATION TREATMENT PROGRAMS FOR SENTENCED AND OTHER ADULT CRIMINAL OFFENDERS", was referred to the Committee on Finance.

Representative Honda, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 537) recommending that H.R. No. 257, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Shito and carried, the report of the Committee was adopted and H.R. No. 257, HD1 entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE COST OF REOPENING OLINDA HONOR CAMP", was referred to the Committee on Finance.

Representative Chun, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 538) recommending that H.R. No. 58, as amended in HD1, be referred to the Committee on Legislative Management.

On motion by Representative Chun, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.R. No. 58, HD1 entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE FLAT GRANT SYSTEM OF PUBLIC ASSISTANCE", was referred to the Committee on Legislative Management.

Representatives Baker and Blair, for the Committees on Energy, Ecology and Environmental Protection; and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 539) recommending that H.B. No. 1232 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Baker, seconded by Representative Blair and carried, the joint report of the Committees was adopted and H.B. No. 1232 entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 1881, HD1; 1595, HD1; 1736, HD1; 1484, HD1; 79, HD1; and 33, HD1 were made available to the members of the House at 11:30 o'clock a.m.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 404) was read by the Clerk and disposed of as follows:

A resolution (H.R. No. 404) recognizing the outstanding service provided by the Department of Social Services and Housing's child abuse newsletter, "Hawaii's Children Need Your Protection", was jointly offered by Representatives

Marumoto, Chun, de Heer, G. Hagino, Honda, Kiyabu, Lacy, Levin, Liu, Matsuura, Morioka, Stanley, Takamine and Toguchi.

On motion by Representative Marumoto, seconded by Representative Chun and carried, H.R. No. 404 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 398 to 403) and concurrent resolutions (H.C.R. Nos. 175 and 176) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 398) requesting a study on Waikiki improvements for the promotion of quality tourism development in Hawaii and jointly offered by Representatives Andrews and Say.

A resolution (H.R. No. 399) requesting a feasibility study relating to a restoration of the Waikiki War Memorial Natatorium was jointly offered by Representatives Andrews and Say.

A resolution (H.R. No. 400) respectfully urging President Reagan and Hawaii's congressional delegation to permit the continuance of the resources conservation and development program authorized under Public Law 87-703 was jointly offered by Representatives Honda, Takitani, Andrews, Monahan, Baker, Chun, Dods, D. Hagino, Ikeda, Kawakami, Kiyabu, Segawa, Shito, Stanley and Waihee.

A resolution (H.R. No. 401) requesting the Department of Transportation to submit a report to the legislature concerning plans for the development and implementation of improvements to Kawaihae Harbor, Hawaii was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kiyabu, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan and Yamada.

A resolution (H.R. No. 402) requesting an interim study by the House Agriculture Committee on the feasibility of establishing a feed production industry in the State of Hawaii for Hawaii's livestock

producers was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kiyabu, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Wong and Yamada.

A resolution (H.R. No. 403) respectfully urging the Farmers Home Administration, United States Department of Agriculture, and the members of Hawaii's delegation to the United States Congress to take or support actions which enable more farmers in Hawaii to qualify for "Section 502" programs was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kiyabu, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan and Yamada.

A concurrent resolution (H.C.R. No. 175) requesting a study on Waikiki improvements for the promotion of quality tourism development in Hawaii was jointly offered by Representatives Andrews and Say.

A concurrent resolution (H.C.R. No. 176) respectfully urging President Reagan and Hawaii's congressional delegation to permit the continuance of the resource conservation and development program authorized under Public Law 87-703 was jointly offered by Representatives Honda, Takitani, Andrews, Monahan, Baker, Chun, D. Hagino, Ikeda, Kawakami, Kiyabu, Segawa, Shito, Stanley and Waihee.

At 11:52 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:24 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Rohlring and carried, the rules were suspended for the purpose of considering bills for 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 action taken:

H.B. No. 570, HD1:

On motion by Representative Taniguchi, seconded by Representative Dods, H.B. No. 570, HD1 entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC HEALTH AND MORALS", passed Third Reading by a vote of 50 ayes with Representative Nakasato being excused.

H.B. No. 368, HD1:

On motion by Representative Blair, seconded by Representative Hirono, H.B. No. 368, HD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Third Reading by a vote of 50 ayes with Representative Nakasato being excused.

H.B. No. 732, HD1:

On motion by Representative Segawa, seconded by Representative Chun, H.B. No. 732, HD1 entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER", passed Third Reading by a vote of 50 ayes with Representative Nakasato being excused.

The Chair directed the Clerk to note that H.B. Nos. 570, HD1; 368, HD1; and 732, HD1 had passed Third Reading at 12:25 o'clock p.m.

H.B. No. 1471, HD1:

On motion by Representative Blair, seconded by Representative Hirono, H.B. No. 1471, HD1 entitled: "A BILL FOR AN ACT RELATING TO BANKS", passed Third Reading by a vote of 50 ayes with Representative Nakasato being excused.

The Chair directed the Clerk to note that H.B. No. 1471, HD1 had

passed Third Reading at 12:26 o'clock p.m.

H.B. No. 1763, HD1:

Representative Kunimura moved that H.B. No. 1763, HD1 pass Third Reading seconded by Representative Kiyabu.

Representative Kamali'i rose to speak in favor of this bill with reservations:

"Mr. Speaker, House Bill 1763 is another half-step toward implementation of the state constitutional mandate for a comprehensive and critical analysis of state taxation by a tax review commission. I personally believe that fundamental and comprehensive reform of our tax laws is essential. Our state individual income tax structure, for example, has been virtually untouched since 1957.

What this measure would do, though, is again postpone the reporting date of the commission's findings. Again, the citizens of this state would have to wait for necessary relief from the state's windfall profit-taking generated by inflation.

And again, this legislature would have another year of using the excuse of the commission as cause for not enacting our own tax reform. We're having it both ways. Let me briefly describe my concern.

This commission was created in 1978; we passed the enabling legislation in 1979; the Governor nominated the commissioners in 1980; the Senate, I would presume, will now confirm those appointments in 1981; and the bill provides that the commission will submit a report in 1983.

I question whether we have a genuine commitment to tax review. The Governor announced his last appointments this past June, delaying confirmation for a year, no office space is provided for interim work and no money is appropriated for staff. The legislature acts to over-burden and distract the work of the commission by directing the commission, in House Resolution No. 77, to review our proposals for tax change. During the past five sessions, over 1,000 tax measures were introduced in this House alone. With the charge of reviewing

our proposals rather than the fairness of our tax laws and collections, we would receive a report which, basically, only documented our inaction.

At this rate, Mr. Speaker, the most that many citizens can hope for is a timely reform of our inheritance taxes, because many of us will literally die waiting for tax relief.

I understand and appreciate the enormity of the job we're giving to this tax review commission. I know that they will need time to accurately assess and recommend changes. I only wish that we would act now to make their job easier by repealing the 4% excise tax on food and drugs or rebracketing the state personal income tax structure. Maybe then the people of this state and the commissioners would know that we truly endorse tax reform."

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

"Mr. Speaker, many of the things stated by the honorable minority leader, I agree with. But in her closing remarks, I cannot agree because if government is as efficient as we would like it to be, then we should dissolve the legislature, abolish the Governor's position, abolish all commissions and departments and turn over the whole shebang to a private corporation on a contract basis to operate this state of Hawaii.

Then, there's going to be questions that this corporation is not doing well because some people are not going to be satisfied. Some people are going to say we should go back to the monarchy. Then, we will have people who say we can't afford that because we are free people. Whatever we do, we cannot satisfy everyone. Remember the building of the Tower of Babel, that the good intention ended up in a chaos because it's humans who try to build the Tower of Babel, not God, Himself.

Mr. Speaker, if we're really sincere in this effort to try and implement the intent of the Constitutional Convention to have once and for all, a genuine tax review commission, we ought to have faith in this commission and wait for the findings, but the solution, or part of the solution offered by the honorable minority leader is like buying a brand new car and trying to send the old one to the garage for a general overhaul. You got to decide one or the other because for the commission, Mr.

Speaker, to do a good job, they must review the entire tax structure and in doing so, they got to have track records. But if this legislature wants to mull up, and trample all over the track and destroy some track record, then it would be impossible for this commission to do the job we want them to do, and I say, we either put up or shut up, once and for all. And I say it again, we didn't appropriate the necessary funds. We gave them \$40,000.00. They needed \$300,000.00. So we are at fault, the Governor's at fault also for dragging his feet. So when we look around, look into the mirror, my friends, you see the enemies of the people sitting right here in the chambers."

Representative Narvaes rose to speak against the measure:

"Mr. Speaker, Article VII, Section 3 of the State Constitution mandated the creation of the Tax Review Commission. A commission that is to submit to the legislature an evaluation of the state's tax structure, recommend revenue and tax policy and then dissolve.

Mr. Speaker, the legislature did so in 1979. Since then I've been waiting for their recommendations. Recommendations that were to be submitted to us by September 1981. This bill before us extends that date to January 1983.

Mr. Speaker, I feel strongly the people of Hawaii have been waiting a long time for needed and proper tax review and then hopefully a comprehensive tax reform would follow. I simply do not want to wait until 1983 for a report from the Tax Review Commission. I don't feel the people of Hawaii want to wait any longer. We have a large surplus. This no vote of mine is just going to be a negative vote against the delays that have been going on."

Representative Rohlfling rose to speak against the bill:

"I too would like to comment briefly on this particular measure, and associate myself with the remarks of all the previous speakers. But I am speaking against the measure.

Representative Stanley interrupted on a point of order stating:

"Mr. Speaker, would you ask

the speaker to state whether he's speaking for the bill or against it?"

The Chair answered: "Representative Rohlfling, for the record you are speaking against the measure."

Representative Rohlfling then continued: "When I stated that I was associating myself with the remarks, I also by so doing referred to the spokesman in favor of the bill. Representative Kamali'i brought out a number of things relating to this matter in a historical basis. My good colleague across the aisle from Kauai put the finger on us here in this body and by implication, down the other end of the building. And I think, Mr. Speaker, that's where it belongs. No matter what we say about this commission, whether its today, or tomorrow, or the next day, when it finally makes its report the policy decisions are here, in the legislature of this state. And like many commissions and studies that have been gathering dust in the corridors, and the bookcases of this body, it will probably receive the same type of treatment.

The decision on tax reform, the decision on the bill that is before us regarding the surplus and other matters are here now. Why should we delay? Why do we even fool with this thing from that point of view? And I agree with Representative Kunimura to that extent, and I think it's time that we take the action here now and not rely on this commission, and I will vote no."

The motion to pass H.B. No. 1763, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION" was put by the Chair and carried by a vote of 48 ayes to 2 noes, with Representatives Narvaes and Rolfing voting no and Representative Nakasato being excused.

H.B. No. 1657:

On motion by Representative Blair, seconded by Representative Nakamura, H.B. No. 1657 entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST SUITS BY THE STATE; AMOUNT OF RECOVERY", passed Third Reading by a vote of 50 ayes with Representative Nakasato being excused.

The Chair directed the Clerk to note that H.B. Nos. 1763, HD1; and 733 had passed Third Reading at 12:37 o'clock p.m.

H.B. No. 733:

On motion by Representative Kobayashi, seconded by Representative Chun, H.B. No. 733 entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", passed Third Reading by a vote of 50 ayes with Representative Nakasato being excused.

H.B. No. 1679:

On motion by Representative Kobayashi, seconded by Representative Chun, H.B. No. 1679 entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", passed Third Reading by a vote of 50 ayes with Representative Nakasato being excused.

H.B. No. 764:

On motion by Representative Sakamoto, seconded by Representative Fukunaga, H.B. No. 764 entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF WILDLIFE AND PLANTS", passed Third Reading by a vote of 50 ayes with Representative Nakasato being excused.

The Chair directed the Clerk to note that H.B. Nos. 733; 1679; and 764 had passed Third Reading at 12:38 o'clock p.m.

At this time, Representative Kunimura was permitted to make a late introduction.

Representative Kunimura introduced Mrs. S. Kanazawa, "a good friend of all the elderly in this state and she has been instrumental in setting up the Committee on Youth and Elderly Affairs."

ANNOUNCEMENTS

The Chair made the following announcement:

"The Chair would like to remind the members of this House to make themselves available to sign committee reports to meet those deadlines that all of you are aware of.

This House stands in recess until 9:00 o'clock tonight."

EVENING SESSION

The House of Representatives

reconvened at 9:00 o'clock p.m.

STANDING COMMITTEE REPORTS

Representatives Sakamoto and Shito, for the Committees on Water, Land Use, Development and Hawaiian Affairs; and Housing presented a joint report (Stand. Com. Rep. No. 540) recommending that H.R. No. 76 be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Shito and carried, the joint report of the Committees was adopted and H.R. No. 76 entitled: "HOUSE RESOLUTION REQUESTING PERMIT SIMPLIFICATION IN LAND USE REGULATORY PROCESS", was referred to the Committee on Finance.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 541) recommending that H.B. No. 794, as amended in HD2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Stanley, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 794, HD2 entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Sakamoto and Matsuura, for the Committees on Water, Land Use, Development and Hawaiian Affairs; and Ocean and Marine Resources presented a joint report (Stand. Com. Rep. No. 542) recommending that H.B. No. 73 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakamoto, seconded by Representative Matsuura and carried, the joint report of the Committees was adopted and H.B. No. 73 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", passed Second Reading and was placed on the calendar for Third Reading.

Representative Toguchi, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 543) recommending that H.B. No. 1648 pass Second Reading and be placed on the calendar

for Third Reading.

On motion by Representative Toguchi, seconded by Representative Stanley and carried, the report of the majority of the Committee was adopted and H.B. No. 1648 entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", passed Second Reading and was placed on the calendar for Third Reading with Representatives Anderson, Ikeda, Kamali'i, Liu, Medeiros, Rohlfing and Say registering no votes.

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

The House of Representatives reconvened at 9:20 o'clock p.m.

Representatives Blair and Baker, for the Committees on Consumer Protection and Commerce; and Energy, Ecology and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 544) recommending that H.B. No. 579, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Baker and carried, the joint report of the Committees was adopted and H.B. No. 579, HD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 545) recommending that H.B. No. 748 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.B. No. 748 entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations,

presented a report (Stand. Com. Rep. No. 546) recommending that H.B. No. 746 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.B. No. 746 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 547) recommending that H.B. No. 744, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.B. No. 744, HD1 entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 548) recommending that H.B. No. 743 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.B. No. 743 entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading.

Representatives D. Hagino and Takitani, for the Committees on Employment Opportunities and Labor Relations; and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 549) recommending that H.B. No. 741 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Sakamoto and carried, the joint

report of the Committees was adopted and H.B. No. 741 entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY EMPLOYMENT PRACTICES", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 550) recommending that H.B. No. 603 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and H.B. No. 603 entitled: "A BILL FOR AN ACT RELATING TO HAWAII EMPLOYMENT RELATIONS ACT", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 551) recommending that H.B. No. 749, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.B. No. 749, HD1 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 552) recommending that H.B. No. 1103, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 1103, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 553) recommending that H.B. No. 1466, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 1466, HD1 entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES", passed Second Reading and was placed on the calendar for Third Reading.

At 9:22 o'clock p.m., at the request of Representative Kamali'i, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:23 o'clock p.m.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 554) recommending that H.B. No. 160, as amended in HD2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Dods, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 160, HD2 entitled: "A BILL FOR AN ACT RELATING TO COUNTY HIGHWAYS, SIDEWALKS, WHARVES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 555) recommending that H.B. No. 1339, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1339, HD1 entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 556) recommending that H.B. No. 238 pass Second Reading and be placed on the calendar for

Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the majority of the Committee was adopted and H.B. No. 238 entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 9, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR THE METHOD OF PAYMENT OF LEGISLATIVE SALARIES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Honda, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 557) recommending that H.B. No. 1125, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 1125, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITIES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Honda, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 558) recommending that H.B. No. 1126 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 1126 entitled: "A BILL FOR AN ACT RELATING TO HAWAII YOUTH CORRECTIONAL FACILITIES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Honda, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 559) recommending that H.B. No. 787 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 787 entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS", passed Second Reading and was placed on the calendar

for Third Reading.

Representatives Chun and Takitani, for the Committees on Public Assistance and Human Services; and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 560) recommending that H.B. No. 635, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chun, seconded by Representative Takitani and carried, the joint report of the Committees was adopted and H.B. No. 635, HD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASES AND CONTRACTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 561) recommending that H.B. No. 1358, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 1358, HD1 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 562) recommending that H.B. No. 747 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 747 entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 563) recommending that H.B. No. 823, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Dods, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 823, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 564) recommending that H.B. No. 514, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Medeiros, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 514, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Shito and Blair, for the Committees on Housing; and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 565) recommending that H.B. No. 301 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Blair and carried, the joint report of the Committees was adopted and H.B. No. 301 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 566) recommending that H.B. No. 1051 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the majority of the Committee was adopted and H.B. No. 1051 entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Housing, presented

a report (Stand. Com. Rep. No. 567) recommending that H.B. No. 788, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 788, HD1 entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 568) recommending that H.B. No. 1107 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 1107 entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 569) recommending that H.B. No. 924, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 569 on H.B. No. 924, HD2, was deferred until Monday, March 16, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 934, HD2 were made available to the members of the House at 9:00 o'clock p.m.

Representatives Ige, Chun and Nakamura, for the Committees on Youth and Elderly Affairs; Public Assistance and Human Services; and Judiciary, presented a joint report (Stand. Com. Rep. No. 570) recommending that H.B. No. 68, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Ige, seconded by Representative Chun and carried, the joint report of the Committees was adopted and H.B. No. 68, HD1 entitled:

"A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that copies of H.B. Nos. 794, HD2; 579, HD1; 744, HD1; 749, HD1; 1103, HD1; 1466, HD1; 160, HD2; 1339, HD1; 1125, HD1; 635, HD1; 1358, HD1; 823, HD1; 514, HD1; 788, HD1; 924, HD2; and 68, HD1 were made available to the members of the House at 9:00 o'clock p.m.

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

The House of Representatives reconvened at 11:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 571) recommending that H.B. No. 721, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 571 on H.B. No. 721, HD1, was deferred until Monday, March 16, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 721, HD1, were made available to the members of the House at 11:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 572) recommending that H.B. No. 1100, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 572 on H.B. No. 1100, HD1, was deferred until Monday, March 16, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1100, HD1 were made available to the members of the House at 11:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 573) recommending that H.B. No. 1867, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 573 on

H.B. No. 1867, HD1, was deferred until Monday, March 16, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1867, HD1 were made available to the members of the House at 11:00 o'clock p.m.

Representatives Sakamoto and Takamine, for the Committees on Water, Land Use, Development and Hawaiian Affairs; and Agriculture, presented a joint report (Stand. Com. Rep. No. 574) recommending that H.B. No. 519, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the joint report of the Committees was adopted and H.B. No. 519, HD1 entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL DISTRICTS", passed Second Reading and was placed on the calendar for Third Reading with Representative Anderson registering a no vote.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 575) recommending that H.B. No. 1620, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Dods, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1620, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE", pass Second Reading and was placed on the calendar for Third Reading.

Representatives Takamine and Sakamoto, for the Committees on Agriculture; and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 576) recommending that H.B. No. 1530, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Sakamoto and carried, the joint report of the Committees was adopted and H.B. No. 1530, HD1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PROMOTION AND MARKET DEVELOPMENT", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 577) recommending that H.B. No. 729, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 577 on H.B. No. 729, HD1, was deferred until Monday, March 16, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies were made available to the members of the House at 11:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 578) recommending that H.B. No. 805, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 578 on H.B. No. 805, HD1 was deferred until Monday, March 16, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies were made available to the members of the House at 11:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 579) recommending that H.B. No. 926, as amended in HD1 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 579 on H.B. No. 926, HD1 was deferred until Monday, March 16, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies were made available to the members of the House at 11:00 o'clock p.m.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 580) recommending that H.B. No. 605, HD1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 605, HD1 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Sakamoto, for

the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 581) recommending that H.B. No. 511, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakamoto, seconded by Representative Baker and carried, the report of the Committee was adopted and H.B. No. 511, HD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 582) recommending that H.B. No. 150 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 150 entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 10, OF THE CONSTITUTION OF THE STATE OF HAWAII TO PERMIT FELONY TRIALS AFTER PRELIMINARY HEARINGS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 583) recommending that H.B. No. 1445, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 1445, HD1 entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Sakamoto and Takitani, for the Committees on Water, Land Use, Development and Hawaiian Affairs; and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 584) recommending that H.B. No. 1021, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakamoto, seconded by Representative Baker and carried, the joint report of the Committees was adopted and H.B. No. 1021, HD1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EXECUTIVES", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Blair and Nakamura, for the Committees on Consumer Protection and Commerce; and Judiciary, presented a joint report (Stand. Com. Rep. No. 585) recommending that H.B. No. 1514, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Nakamura and carried, the joint report of the Committees was adopted and H.B. No. 1514, HD1, entitled: "A BILL FOR AN ACT PROVIDING THAT EYE ENUCLEATION MAY BE PERFORMED BY TRAINED TECHNICIANS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 586) recommending that H.B. No. 212, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 212, HD1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 587) recommending that H.B. No. 423, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 423, HD1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for

the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 588) recommending that H.B. No. 456, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 456 entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 589) recommending that H.B. No. 601, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 601, HD1 entitled: "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION AND DANGEROUS WEAPONS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 590) recommending that H.B. No. 431 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 431 entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 591) recommending that H.B. No. 428 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 428 entitled: "A BILL FOR AN ACT RELATING TO WOMEN", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 592) recommending that H.B. No. 429 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 429 entitled: "A BILL FOR AN ACT RELATING TO SEPARATE MAINTENANCE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 593) recommending that H.B. No. 687, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 687, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE", passed Second Reading and was placed on the calendar for Third Reading.

Representative de Heer, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 594) recommending that H.B. No. 1785, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative de Heer, seconded by Representative Shito and carried, and notwithstanding the recommendation of the Committee, H.B. No. 1785, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", was recommitted to the Committee on State General Planning.

Representative de Heer rose and stated: "Mr. Speaker, I know it's late in the evening, and far be it for me to add more verbiage to the fray here, but, first of all, needless to say, this measure has created a little controversy here in the House and the validity of the measure in the Chair's opinion is unbundled. I think this Committee has made a very constructive and positive statement.

However, it is sometimes that

we have to look at the better interest of all the House, and with this in mind, we are taking this constructive and positive action. I think that our Committee will continue to act in the highest degree of professionalism and with the best interest of Hawaii at heart."

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 595) recommending that H.B. No. 1341, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1341, HD1 entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 596) recommending that H.B. No. 1360, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 1360, HD1 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 597) recommending that H.B. No. 1359, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 1359, HD1 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITIES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Honda, for the Committee on Corrections and Rehabilita-

tion, presented a report (Stand. Com. Rep. No. 598) recommending that H.B. No. 1931 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Honda, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1931 entitled: "A BILL FOR AN ACT RELATING TO THE WORK RELEASE PLAN", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 599) recommending that H.B. No. 540, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 540, HD1 entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON JUDGEMENTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 600) recommending that H.B. No. 541, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the majority of the Committee was adopted and H.B. No. 541, HD1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 601) recommending that H.B. No. 204, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 204, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 602) recommending that H.B. No. 1340, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1340, HD1 entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 519, HD1; 1620, HD1; 1530, HD1; 605, HD1; 511, HD1; 1445, HD1; 1021, HD1; 1514, HD1; 212, HD1; 423, HD1; 601, HD1; 687, HD1; 1785, HD1; 1341, HD1; 1360, HD1; 1359, HD1; 540, HD1; 541, HD1; 204, HD1; and 1340, HD1 were made available to the members of the House at 11:00 o'clock p.m.

At 11:20 o'clock p.m., on request by Representative Stanley, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:48 o'clock p.m.

Representatives de Heer and Sakamoto, for the majority of the Committees on State General Planning and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 603) recommending that H.B. No. 53, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative de Heer, seconded by Representative Sakamoto and carried, the joint report of the majority of the Committees was adopted and H.B. No. 53, HD1 entitled: "A BILL FOR AN ACT RELATING TO LAND USE PLANNING", passed Second Reading and was placed on the calendar for Third Reading.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 604) recommending that H.B. No. 1590, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakamoto, seconded by Representative Baker

and carried, the report of the Committee was adopted and H.B. No. 1590, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 53, HD1 and 1590, HD1 were made available to the members of the House at 11: 45 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative Honda moved that the House reconsider its action taken on H.B. No. 1931, seconded

by Representative Shito and carried.

Representative Honda then stated: "The purpose of this motion is to further clarify the language of this bill."

On motion by Representative Honda, seconded by Representative Shito and carried, H.B. No. 1931 was recommitted to the Committee on Corrections and Rehabilitation.

ADJOURNMENT

At 11: 51 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 10: 00 o'clock a.m., Monday, March 16, 1981.

THIRTY-THIRD DAY

Monday, March 16, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 10:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Richard Weisenbach of Kalihi Union Church, after which the Roll was called showing all members present with the exception of Representatives Albano, Kobayashi, Monahan, Morioka, Narvaes, Say, Toguchi, Waihee and Yamada, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 23 to 32) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 23) returning House Concurrent Resolution No. 157, which was adopted by the Senate on February 20, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 24) transmitting Senate Bill No. 28, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING", which passed Third Reading in the Senate on March 13, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 25) transmitting Senate Bill No. 79, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIR", which passed Third Reading in the Senate on March 13, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 26) transmitting Senate Bill No. 330, SD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENT", which passed Third Reading in the Senate on March 13, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 27) transmitting Senate Bill No. 562, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT MOTOR VEHICLES", which passed Third Reading in the Senate on March 13, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 28) transmitting Senate Bill No. 593, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF SPEECH PATHOLOGY AND AUDIOLOGY", which passed Third Reading in the Senate on March 13, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 29) transmitting Senate Bill No. 981, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BALLOTS", which passed Third Reading in the Senate on March 13, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 30) transmitting Senate Bill No. 1203, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURES ACT", which passed Third Reading in the Senate on March 13, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 31) transmitting Senate Bill No. 1533, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHANGE OF NAMES", which passed Third Reading in the Senate on March 13, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 32) transmitting Senate Bill No. 1730, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CARE", which passed Third Reading in the Senate on March 13, 1981, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlring and carried, S.B. Nos. 28; 79, SD 1; 330, SD 1; 562; 593, SD 1; 981, SD 1; 1203; 1533, SD 1; and 1730, SD 2, passed First Reading by title and further action was deferred.

At 10:18 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 10:25 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Albano, Kobayashi, Monahan, Morioka, Say, Toguchi, Waihee and Yamada.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

The following House bill was re-referred as follows:

<u>H.B. No.</u>	<u>Re-referred to:</u>
1373	Committee on Education, then

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

SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar.

UNFINISHED BUSINESS

H.B. No. 924, HD 2, on Third Reading:

On motion by Representative Kiyabu, seconded by Representative G. Hagino and carried, H.B. No. 924, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VISION AND HEARING SCREENING", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 721, HD 1, on Third Reading:

On motion by Representative Kiyabu, seconded by Representative G. Hagino and carried, H.B. No. 721, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PACIFIC WAR MEMORIALS", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 924 and 721 had passed Third Reading at 10:26 o'clock a.m.

H.B. No. 1100, HD 1, on Third Reading:

On motion by Representative Kiyabu, seconded by Representative G. Hagino and carried, H.B. No. 1100, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEE FOR CIVIL IDENTIFICATION CERTIFICATE", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 1867, HD 1, on Third Reading:

On motion by Representative Kiyabu, seconded by Representative G. Hagino and carried, H.B. No. 1867, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF COPIES OF MAPS AND PLANS OF LANDS", having been

read throughout, passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 1100 and 1867 had passed Third Reading at 10:27 o'clock a.m.

H.B. No. 729, HD 1, on Third Reading:

On motion by Representative Kiyabu, seconded by Representative G. Hagino and carried, H.B. No. 729, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 805, HD 1, on Third Reading:

On motion by Representative Kiyabu, seconded by Representative G. Hagino and carried, H.B. No. 805, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ALL FUNCTIONS, POWERS AND DUTIES INVOLVING THE TAXATION OF REAL PROPERTY TO THE COUNTIES", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 729 and 805 had passed Third Reading at 10:28 o'clock a.m.

H.B. No. 926, HD 1, on Third Reading:

On motion by Representative Kiyabu, seconded by Representative G. Hagino and carried, H.B. No. 926, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF TAX RETURNS AND INFORMATION IN TAX RETURNS", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. No. 926 had passed Third Reading at 10:29 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 605) recommending that H.B. No. 1255 pass Third Reading.

Representative Kamalii then rose and requested that action be deferred to the end of the calendar and the Chair,

noting that there were no objections so ordered.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 606) recommending that H.B. No. 432 pass Third Reading.

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

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 607) recommending that H.B. No. 762 pass Third Reading.

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

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 608) recommending that H.B. No. 763 pass Third Reading.

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

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 609) recommending that H.B. No. 723 pass Third Reading.

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

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 610) recommending that H.B. No. 1025, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1025, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 611) recommending that H.B. No. 206, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 206, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL

CODE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 612) recommending that H.B. No. 1337, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1337, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 613) recommending that H.B. No. 1310, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1310, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODIAL INTERFERENCE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 614) recommending that H.B. No. 1176, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1176, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 615) recommending that H.B. No. 1745, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1745, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESISTING AN ORDER TO STOP A

MOTOR VEHICLE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 616) recommending that H.B. No. 739, as amended in HD 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 616 on H.B. No. 739, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 739, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 617) recommending that H.B. No. 773, 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 Hirono and carried, the report of the Committee was adopted and H.B. No. 773, 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.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 618) recommending that H.B. No. 774, HD 1, pass Third Reading.

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

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 619) recommending that H.B. No. 506, HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 506, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICABLE DISEASES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Takitani, for the majority of the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 620) recommending that H.B. No. 357 pass Second Reading and

be placed on the calendar for Third Reading.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the majority of the Committee was adopted and H.B. No. 357, entitled: "A BILL FOR AN ACT RELATING TO NON-COMPETITIVE PROMOTIONS OF PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 621) recommending that H.B. No. 467 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 467, entitled: "A BILL FOR AN ACT RELATING TO THE FISH AND WILDLIFE ADVISORY COMMITTEES", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 622) recommending that H.B. No. 852 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 852, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 623) recommending that H.B. No. 736, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 736, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING", passed Second Reading and was placed on the calendar for Third Reading.

At this time, the Chair re-referred H.B. No. 1292, HD 1, to the Committee on Consumer Protection and Commerce.

Representative Blair, for the Committee on Consumer Protection and Commerce,

presented a report (Stand. Com. Rep. No. 624) recommending that H.B. No. 1292, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 1292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 625) recommending that H.B. No. 1469 pass Third Reading.

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

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 626) recommending that H.B. No. 266, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 626 on H.B. No. 266, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 266, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 627) recommending that H.B. No. 1523, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1523, 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.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 628) recommending that H.B. No. 1924, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee

was adopted and H.B. No. 1924, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AVAILABILITY OF MEDICAL RECORDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 629) recommending that H.B. No. 207, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 207, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 630) recommending that H.B. No. 1550, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1550, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND OTHER AFFIRMATIVE DEFENSES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 631) recommending that H.B. No. 567, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 632) recommending that H.B. No. 817, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee

was adopted and H.B. No. 817, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 633) recommending that H.B. No. 1124, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 633 on H.B. No. 1124, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1124, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 634) recommending that H.B. No. 709, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 634 on H.B. No. 709, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 709, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 635) recommending that H.B. No. 710 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 636) recommending that H.B. No. 711 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 637) recommending that H.B. No. 712 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a

report (Stand. Com. Rep. No. 638) recommending that H.B. No. 713 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 639) recommending that H.B. No. 714 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 640) recommending that H.B. No. 715 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 641) recommending that H.B. No. 716 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 642) recommending that H.B. No. 717 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 643) recommending that H.B. No. 718 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 644) recommending that H.B. No. 719 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 645) recommending that H.B. No. 720 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 646) recommending that H.B. No. 1879 pass Third Reading.

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

Representative Nakamura, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 647) recommending that H.B. No. 169, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WILD CATTLE AND FEROCIOUS ANIMALS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 648) recommending that H.B. No. 907 pass Third Reading.

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

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 649) recommending that H.B. No. 1636, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 649 on H.B. No. 1636, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1636, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 650) recommending that H.B. No. 726, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 650 on H.B. No. 726, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 726, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 651) recommending that H.B. No. 1724, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 651

on H.B. No. 1724, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1724, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 652) recommending that H.B. No. 1357, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 652 on H.B. No. 1357, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1357, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 653) recommending that H.B. No. 1108 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 654) recommending that H.B. No. 356 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 655) recommending that H.B. No. 345, HD 1, pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 656) recommending that H.B. No. 738 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 657) recommending that H.B. No. 1885 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 658) recommending that H.B. No. 1866 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 659) recommending that H.B. No. 1873, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 659 on H.B. No. 1873, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1873, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 660) recommending that H.B. No. 1876, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 660 on H.B. No. 1876, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1876, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 661) recommending that H.B. No. 41, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 661 on H.B. No. 41, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 41, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 662) recommending that H.B. No. 793, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 662 on H.B. No. 793, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 793, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 663) recommending that H.B. No. 792, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 663 on H.B. No. 792, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 792, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 664) recommending that H.B. No. 695, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 664 on H.B. No. 695, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 695, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 665) recommending that H.B. No. 989, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 989, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 666) recommending that H.B. No. 663, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 663, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 667) recommending

that H.B. No. 821, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 667 on H.B. No. 821, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 821, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 668) recommending that H.B. No. 538, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 668 on H.B. No. 538, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 538, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 669) recommending that H.B. No. 564, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 669 on H.B. No. 564, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 564, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 670) recommending that H.B. No. 329, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 670 on H.B. No. 329, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 329, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 671) recommending that H.B. No. 482, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 671 on H.B. No. 482, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 482, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 672) recommending that H.B. No. 1770, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 672 on H.B. No. 1770, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1770, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 673) recommending that H.B. No. 331, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 331, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 674) recommending that H.B. No. 1406, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1406, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL COST RECOVERY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 675) recommending that H.B. No. 1208, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1208, HD 1, entitled: "A BILL FOR AN ACT RELATING

TO LIQUOR TAXES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 676) recommending that H.B. No. 867 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 677) recommending that H.B. No. 50, as amended in HD 1, pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 678) recommending that H.B. No. 35, HD 1, pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 679) recommending that H.B. No. 1584 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 680) recommending that H.B. No. 278, HD 1, pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 681) recommending that H.B. No. 1680, HD 1, pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 682) recommending that H.B. No. 125, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 682 on H.B. No. 125, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the

State of Hawaii, printed copies of H.B. No. 125, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 683) recommending that H.B. No. 126, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 683 on H.B. No. 126, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 126, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 684) recommending that H.B. No. 127, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 684 on H.B. No. 127, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 127, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 685) recommending that H.B. No. 128, as amended in HD 3, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 685 on H.B. No. 128, HD 3, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 128, HD 3, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 686) recommending that H.B. No. 1048, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 686 on H.B. No. 1048, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1048, HD 2, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the

Committee on Finance, presented a report (Stand. Com. Rep. No. 687) recommending that H.B. No. 728, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 687 on H.B. No. 728, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 728, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 688) recommending that H.B. No. 765, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 688 on H.B. No. 765, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 765, HD 1, were made available to the members of the House at 10:00 o'clock a.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 405 to 412) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 405) honoring Ambassador William Bodde, Jr. for his service to the people of the U.S. and the Pacific Islands was jointly offered by Representatives Rohlfling, Aki, Albano, Anderson, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Honda, Ige, Ikeda, Isbell, Kamali'i, Kihano, Kiyabu, Kunimura, Lacy, Liu, Marumoto, Medeiros, Monahan, Morioka, Nakamura, Narvaes, Sakamoto, Segawa, Shito, Stanley, Takamine, Takitani, Toguchi, Tungpalan, Waihee, Wong and Peters.

On motion by Representative Rohlfling, seconded by Representative Kamali'i and carried, H.R. No. 405 was adopted.

Representative Rohlfling then rose and stated:

"Mr. Speaker, it is indeed an honor for me today to have the privilege of introducing Ambassador Bodde and his lovely wife to this body

and having the presentation made.

I got to know Ambassador Bodde through the process of working in American Samoa and I want to say that in the resolution where we have referred to the long overdue Office of Pacific Island Affairs, it was very important that, not only that office be created to have concern over the Pacific, but also that the person who served that job initially be able to relate to Pacific Islanders, and I think it is indeed a compliment to Ambassador Bodde, coming from European duty, to be able to come to this part of the world and to fit in so well with the islanders and, believe me, I don't say this just of my own experience, but by comments that I have received from other people who have worked with Ambassador Bodde.

It was also the area of the negotiations with the Central Pacific Islands, something that not too many people know about, but which have and will have a very significant effect on our relations throughout the Pacific and, certainly, have an effect on our own fishing industry here in Hawaii.

Ambassador Bodde is very much an important man in the councils of foreign policy of the United States as it affects Hawaii and the Pacific and is a very good friend of Hawaii."

Representatives Stanley and Liu then presented Ambassador Bodde and Mrs. Bodde with floral leis while Representative Rohlfling presented the honoree with a certified copy of the resolution.

Representative Rohlfling then introduced Ambassador William Bodde, Jr. and Mrs. Bodde to the members of the House and audience.

At 10:43 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal aloha to our honoree this morning."

The House of Representatives reconvened at 10:55 o'clock a.m.

A resolution (H.R. No. 406) eulogizing the artistic achievements, the entertainment contribution, and the musical legacy of the late Gabby "Pops" Pahinui, the musician and composer was jointly offered by Representatives Sakamoto, Kihano, Aki, Baker, de Heer, D. Hagino, G. Hagino, Hashimoto, Honda, Ige, Kawakami, Kunimura, Morioka, Narvaes, Okamura, Say, Takamine, Taniguchi, Toguchi, Waihee and Wong.

On motion by Representative Sakamoto, seconded by Representative Kihano and carried, H.R. No. 406 was adopted.

A resolution (H.R. No. 407) honoring David K. Trask, Jr. on his retirement as the Executive Director of HGEA was jointly offered by Representatives Sakamoto, Takitani, Tungpalan, Fukunaga, Aki, de Heer, D. Hagino, G. Hagino, Hashimoto, Ige, Kawakami, Kunimura, Morioka, Okamura, Takamine, Taniguchi, Toguchi and Waihee.

On motion by Representative Sakamoto, seconded by Representative Takitani and carried, H.R. No. 407 was adopted.

A resolution (H.R. No. 408) conveying greetings and good wishes to Mr. Harry Lyons for a continued and complete recovery was jointly offered by Representatives Isbell, Aki, Anderson, Baker, Chun, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Ige, Ikeda, Kamali'i, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Narvaes, Segawa, Takamine, Toguchi, Tungpalan, Waihee and Wong.

On motion by Representative Isbell, seconded by Representative Baker and carried, H.R. No. 408 was adopted.

A resolution (H.R. No. 409) commending and congratulating Janeen-Ann A. Olds on being designated a nominee to the United States Military Academy at West Point was jointly offered by Representatives Chun and Okamura.

On motion by Representative Okamura, seconded by Representative Takitani and carried, H.R. No. 409 was adopted.

A resolution (H.R. No. 410) commending and congratulating Marc William Denno on being nominated to the United States Military Academy at West Point was jointly offered by Representatives Chun, Okamura, Albano and Waihee.

On motion by Representative Okamura, seconded by Representative Tungpalan and carried, H.R. No. 410 was adopted.

A resolution (H.R. No. 411) commending and congratulating Nam Hoon Kim on being nominated to the United States Military Academy at West Point was jointly offered by Representatives Chun, Okamura, Albano and Waihee.

On motion by Representative Okamura, seconded by Representative Tungpalan and carried, H.R. No. 411 was adopted.

A resolution (H.R. No. 412) commending and congratulating Kenneth Kazuo Hayashi on being designated a nominee to the United States Military Academy at West Point was jointly offered by Representatives Chun, Okamura, Waihee and Albano.

On motion by Representative Okamura, seconded by Representative Taniguchi and carried, H.R. No. 412 was adopted.

At 11:00 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:01 o'clock a.m.

THIRD READING

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

H.B. No. 1881, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 1881, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 725:

On motion by Representative Sakamoto, seconded by Representative Baker and carried, H.B. No. 725, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 1881 and 725 had passed Third Reading at 11:01 o'clock a.m.

H.B. No. 759:

On motion by Representative Sakamoto, seconded by Representative Baker and carried, H.B. No. 759, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF OCCUPATION AND HOMESTEAD LEASES", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 771:

On motion by Representative Baker, seconded by Representative Okamura and carried, H.B. No. 771, entitled: "A BILL FOR AN ACT RELATING TO THE IMPOSITION OF RULES DURING SHORTAGES OF PETROLEUM PRODUCTS", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 1595, HD 1:

On motion by Representative Baker, seconded by Representative Okamura and carried, H.B. No. 1595, HD 1, 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 Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 759, 771, and 1595 had passed Third Reading at 11:02 o'clock a.m.

H.B. No. 1736, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 1736, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 1484, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 1484, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 1736 and 1484 had passed Third Reading at 11:03 o'clock a.m.

H.B. No. 1232:

On motion by Representative Baker, seconded by Representative Blair and carried, H.B. No. 1232, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 794, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 794, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 1232 and 794 had passed Third Reading at 11:04 o'clock a.m.

H.B. No. 73:

Representative Sakamoto moved that H.B. No. 73, having been read throughout, pass Third Reading, seconded by Representative Matsuura.

At 11:04 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:07 o'clock a.m., the motion was put by the Chair and carried, and H.B. No. 73, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. No. 73 had passed Third Reading at 11:08 o'clock a.m.

H.B. No. 1648:

Representative Toguchi moved that H.B. No. 1648, having been read throughout, pass Third Reading, seconded by Representative Stanley.

Representative Ikeda then rose to speak against H.B. No. 1648:

"Mr. Speaker, this bill, according to its accompanying Committee report, purports to clarify the powers of the Board of Education. If that were really the substance of this bill, I might find it more interesting, if not worthy of our support, but it does not. Instead, this bill seems to be a restatement of the constitutional provision describing the Board's powers with one small and apparently innocuous deletion of the Superintendent as the Executive Secretary of the Board of Education.

Mr. Speaker, if we pass this bill deleting the Superintendent as Executive Secretary to the Board, are we not then allowing for situation where the Board will hire someone to fill that position thus creating another superintendent?

Given the current tensions, this amendment may have consequences which we never intended. I can imagine, for example, that the Superintendent will now not enjoy full access to the personnel or program decisions of the Board in those instances where public meetings are not required.

Also, in relation to the restating of the Constitution in the bill, are we not abdicating the Legislature's right and responsibility to oversee the Board's budget? By passing this bill, are we setting the stage for arguments in favor

of a lump sum budget for the department?

Further, as you know, I have some very basic questions about what the Board is currently empowered to do. The educational morass of our public schools and the demonstrated lack of confidence and knowledgeability of the voters in voting for the members of the Board, I'll suggest that we need to re-examine the needs for the Board, not its powers.

For these reasons, Mr. Speaker, I urge my colleagues to vote against this measure.

Thank you."

The motion was put by the Chair and carried, and H.B. No. 1648, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", passed Third Reading by a vote of 39 ayes to 11 noes, with Representatives Anderson, Ikeda, Liu, Kamali'i, Medeiros, Monahan, Lacy, Isbell, Rohlfing, Say and Wong voting no, and Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. No. 1648 had passed Third Reading at 11:10 o'clock a.m.

H.B. No. 579, HD 1:

On motion by Representative Blair, seconded by Representative Baker and carried, H.B. No. 579, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 748:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 748, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 579 and 748 had passed Third Reading at 11:11 o'clock a.m.

H.B. No. 746:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 746,

entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 744, HD 1:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 744, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Anderson, Ikeda, Lacy and Liu voting no, and Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 746 and 744 had passed Third Reading at 11:12 o'clock a.m.

H.B. No. 743:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 743, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 741:

On motion by Representative D. Hagino, seconded by Representative Takitani and carried, H.B. No. 741, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY EMPLOYMENT PRACTICES", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 743 and 741 had passed Third Reading at 11:13 o'clock a.m.

H.B. No. 603:

Representative D. Hagino moved that H.B. No. 603, having been read throughout, pass Third Reading, seconded by Representative Albano.

At 11:14 o'clock a.m., Representative Dods asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:15 o'clock a.m., the motion was put by the Chair and carried, and H.B. No. 603, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT RELATIONS ACT", passed Third Reading by a vote

of 46 ayes to 4 noes, with Representatives Anderson, Dods, Liu and Rohlfing voting no, and Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. No. 603 had passed Third Reading at 11:15 o'clock a.m.

H.B. No. 749, HD 1:

Representative D. Hagino moved that H.B. No. 749, HD 1, having been read throughout, pass Third Reading, seconded by Representative Albano.

Representative D. Hagino then offered the following amendment to H.B. No. 749, HD 1:

"SECTION 1. House Bill No. 749, H.D. 1, is amended by amending line 3 on page 6 to read:

'three per cent $\frac{1}{2}$ the maximum rate until the next' "

At 11:16 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:18 o'clock a.m.

Representative Hagino moved that the amendment be adopted, seconded by Representative Albano and carried, and the amendment was adopted.

By unanimous consent, further action on H.B. No. 749, HD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 749, HD 2, were made available to the members of the House at 11:15 o'clock a.m.

H.B. No. 1103, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 1103, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 1466, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 1466, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES",

passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 1103 and 1466 had passed Third Reading at 11:19 o'clock a.m.

H.B. No. 160, HD 2:

On motion by Representative Dods, seconded by Representative Taniguchi and carried, H.B. No. 160, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY HIGHWAYS, SIDEWALKS, WHARVES", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. No. 160 had passed Third Reading at 11:20 o'clock a.m.

At 11:20 o'clock a.m., Representative de Heer asked for a recess and the Chair declared a recess, subject to the call of the Chair.

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

H.B. No. 1339, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 1339, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Anderson, Dods, Ikeda and Kawakami voting no, and Representative Narvaes being excused.

H.B. No. 238:

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

H.B. No. 1125, HD 1:

On motion by Representative Honda, seconded by Representative Shito and carried, H.B. No. 1125, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITIES", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 1126:

On motion by Representative Honda, seconded by Representative Shito and

carried, H.B. No. 1126, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITIES", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 1339, 1125 and 1126 had passed Third Reading at 11:23 o'clock a.m.

H.B. No. 787:

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

H.B. No. 635, HD 1:

On motion by Representative Chun, seconded by Representative Takitani and carried, H.B. No. 635, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASES AND CONTRACTS", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 1358, HD 1:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 1358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 635 and 1358 had passed Third Reading at 11:24 o'clock a.m.

H.B. No. 747:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 747, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 823, HD 1:

On motion by Representative Dods, seconded by Representative Taniguchi and carried, H.B. No. 823, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 514, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 514, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 301:

On motion by Representative Shito, seconded by Representative Blair and carried, H.B. No. 301, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 1051:

On motion by Representative Shito, seconded by Representative Honda and carried, H.B. No. 1051, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 747, 823, 514, 301 and 1051 had passed Third Reading at 11:25 o'clock a.m.

H.B. No. 788, HD 1:

On motion by Representative Shito, seconded by Representative Honda and carried, H.B. No. 788, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 1107:

On motion by Representative Shito, seconded by Representative Honda and carried, H.B. No. 1107, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 68, HD 1:

On motion by Representative Ige, seconded by Representative Chun and carried, H.B. No. 68, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE OR NEGLECT", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 788, 1107 and 68 had passed Third Reading at 11:26 o'clock a.m.

At 11:26 o'clock a.m., Representative Sakamoto asked for a recess and the Chair declared a recess, subject to the call of the Chair.

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

H.B. No. 519, HD 1:

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

H.B. No. 1620, HD 1:

On motion by Representative Dods, seconded by Representative Taniguchi and carried, H.B. No. 1620, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE", passed Third Reading by a vote of 49 ayes to 1 no, with Representative Levin voting no, and Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. No. 1620 had passed Third Reading at 11:30 o'clock a.m.

H.B. No. 1530, HD 1:

On motion by Representative Takamine, seconded by Representative Sakamoto and carried, H.B. No. 1530, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PRODUCT PROMOTION AND MARKET DEVELOPMENT", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 605, HD 1:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 605, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 511, HD 1:

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, H.B. No. 511, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Third Reading by a vote of 50 ayes, with

Representative Narvaes being excused.

H.B. No. 150:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 150, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 10, OF THE CONSTITUTION OF THE STATE OF HAWAII TO PERMIT FELONY TRIALS AFTER PRELIMINARY HEARINGS", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 1530, 605, 511, and 150 had passed Third Reading at 11:31 o'clock a.m.

At 11:31 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:32 o'clock a.m.

H.B. No. 1445, HD 1:

On motion by Representative Shito, seconded by Representative Nakamura and carried, H.B. No. 1445, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. No. 1445 had passed Third Reading at 11:33 o'clock a.m.

H.B. No. 1021, HD 1:

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

H.B. No. 1514, HD 1:

On motion by Representative Blair, seconded by Representative Nakamura and carried, H.B. No. 1514, HD 1, entitled: "A BILL FOR AN ACT PROVIDING THAT EYE ENUCLEATION MAY BE PERFORMED BY TRAINED TECHNICIANS", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. No. 1514 had passed Third Reading at 11:33 o'clock a.m.

H.B. No. 212, HD 1:

Representative Nakamura moved that H.B. No. 212, HD 1, having been read

throughout, pass Third Reading,
seconded by Representative Taniguchi.

Representative Nakamura then rose to speak in favor of H.B. No. 212, HD 1:

"Mr. Speaker, this bill will define what is pornographic; this bill is long overdue; I think it will facilitate the prosecution of pornographic cases.

Now, this bill provides for statewide community standards and some concerns have been raised about the enforcement of this statewide community standard, particularly the composition of a jury in the case of a jury trial. Perhaps when this bill goes over to the Senate, this concern could be addressed at that time.

I urge every member to vote for this bill."

The motion was put by the Chair and carried, and H.B. No. 212, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. No. 212 had passed Third Reading at 11:34 o'clock a.m.

H.B. No. 423, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 423, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILE", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 456:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 456, entitled: "A BILL FOR AN ACT RELATING TO NUMBER AND GENDER", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 601, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 601, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION AND DANGEROUS WEAPONS", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 431:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 431, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 423, 456, 601, and 431 had passed Third Reading at 11:35 o'clock a.m.

H.B. No. 428:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 428, entitled: "A BILL FOR AN ACT RELATING TO WOMEN", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 429:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 429, entitled: "A BILL FOR AN ACT RELATING TO SEPARATE MAINTENANCE", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 687, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 428, 429, and 687 had passed Third Reading at 11:36 o'clock a.m.

H.B. No. 1341, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 1341, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 1360, HD 1:

On motion by Representative D. Hagino,

seconded by Representative Albano and carried, H.B. No. 1360, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 1359, HD 1:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 1359, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 1341, 1360, and 1359 had passed Third Reading at 11:37 o'clock a.m.

H.B. No. 540, HD 1:

Representative Nakamura moved that H.B. No. 540, HD 1, having been read throughout, pass Third Reading, seconded by Representative Taniguchi.

At 11:38 o'clock a.m., Representative Kamali'i asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:43 o'clock a.m., action on H.B. No. 540, HD 1, was deferred to the end of the calendar.

H.B. No. 541, HD 1:

On motion by Representative Nakamura, seconded by Representative Blair and carried, H.B. No. 541, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", passed Third Reading by a vote of 45 ayes to 5 noes, with Representatives Baker, Fukunaga, D. Hagino, Hirono and Taniguchi voting no, and Representative Narvaes being excused.

H.B. No. 204, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 204, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

H.B. No. 1340, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 1340, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", passed Third Reading by a vote of 50 ayes, with Representative Narvaes being excused.

The Chair directed the Clerk to note that H.B. Nos. 541, 204, and 1340 had passed Third Reading at 11:43 o'clock a.m.

H.B. No. 53, HD 1:

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

H.B. No. 1590, HD 1:

Representative Sakamoto moved that H.B. No. 1590, HD 1, having been read throughout, pass Third Reading, seconded by Representative Fukunaga.

At 11:44 o'clock a.m., Representative Rohlfling asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:46 o'clock a.m., the motion and second were withdrawn and action on H.B. No. 1590, HD 1, was deferred to the end of the calendar.

At this time, Representative Shito, on behalf of the members of the House, extended birthday greetings to the Vice Speaker, Representative Kihano.

Representative Takitani then extended belated birthday greetings to Representative Andrews who celebrated his 32nd birthday on Sunday and "not a single gray hair yet."

At 11:50 o'clock a.m., on motion by Representative Stanley, seconded by Representative Rohlfling and carried, the House of Representatives stood in recess until 7:30 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives reconvened at 7:57 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 689) recommending that H.B. No. 808, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 689 on H.B. No. 808, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 808, HD 2, were made available to the members of the House at 12:25 o'clock p.m.

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 690) recommending that H.B. No. 1470, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 690 on H.B. No. 1470, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1470, HD 2, were made available to the members of the House at 12:25 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 691) recommending that H.B. No. 1233 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 692) recommending that H.B. No. 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 693) recommending that H.B. No. 32, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 693

on H.B. No. 32, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 32, HD 1, were made available to the members of the House at 12:25 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 694) recommending that H.B. No. 38, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 694 on H.B. No. 38, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 38, HD 2, were made available to the members of the House at 12:25 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 695) recommending that H.B. No. 438, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 695 on H.B. No. 438, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 438, HD 2, were made available to the members of the House at 12:25 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 696) recommending that H.B. No. 440, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 696 on H.B. No. 440, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 440, HD 2, were made available to the members of the House at 12:25 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 697) recommending that H.B. No. 722, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 697 on H.B. No. 722, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 722, HD 1, were made available to the members of the House at 12:25

o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 698) recommending that H.B. No. 1716, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 698 on H.B. No. 1716, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1716, HD 2, were made available to the members of the House at 12:25 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 699) recommending that H.B. No. 1437, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 699 on H.B. No. 1437, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1437, HD 1, were made available to the members of the House at 12:25 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 700) recommending that H.B. No. 33, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 700 on H.B. No. 33, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 33, HD 2, were made available to the members of the House at 12:25 o'clock p.m.

At 7:58 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 7:59 o'clock p.m.

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 701) recommending that H.B. No. 1875, HD 1, pass Third Reading.

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

Representative Kunimura, for the

majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 702) recommending that H.B. No. 1583 pass Third Reading.

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

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 703) recommending that H.B. No. 922 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 704) recommending that H.B. No. 919 pass Third Reading.

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

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 705) recommending that H.B. No. 944, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 944, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Ige and Nakamura, for the Committees on Youth and Elderly Affairs and Judiciary, presented a joint report (Stand. Com. Rep. No. 706) recommending that H.B. No. 71, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Ige, seconded by Representative Levin and carried, the joint report of the Committees was adopted and H.B. No. 71, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 707) recommending that H.R. No. 270, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Kobayashi, seconded by Representative Chun and carried, the report of the Committee was adopted and H.R. No. 270, HD 1, entitled: "HOUSE RESOLUTION REQUESTING

A STUDY OF THE STATE COMPREHENSIVE EMERGENCY MEDICAL SERVICES SYSTEM", was referred to the Committee on Finance.

Representative Honda, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 708) recommending that H.B. No. 1931, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Honda, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1931, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WORK RELEASE PLAN", passed Second Reading and was placed on the calendar for Third Reading.

At 8:01 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 8:06 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Narvaes.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 605 on H.B. No. 1255:

Representative Kamali'i requested that action be deferred to the end of the calendar and the Chair, noting that there were no objections, so ordered.

At 8:07 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:08 o'clock p.m.

Stand. Com. Rep. No. 606 on H.B. No. 432:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 432, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 607 on H.B. No. 762:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee

was adopted and H.B. No. 762, entitled: "A BILL FOR AN ACT RELATING TO GAME BIRDS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 608 on H.B. No. 763:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 763, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AREA RESERVES SYSTEM", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 432, 762, and 763 had passed Third Reading at 8:08 o'clock p.m.

Stand. Com. Rep. No. 609 on H.B. No. 723:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 723, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 618 on H.B. No. 774, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 774, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERSE PEER REVIEW COMMITTEE REPORTS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 774 had passed Third Reading at 8:09 o'clock p.m.

Stand. Com. Rep. No. 625 on H.B. No. 1469:

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 1469, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE FISH AGGREGATING SYSTEM", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 635 on H.B. No. 710:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 710, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 636 on H.B. No. 711:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 711, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1469, 710, and 711 had passed Third Reading at 8:10 o'clock p.m.

Stand. Com. Rep. No. 637 on H.B. No. 712:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 712, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 638 on H.B. No. 713:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 713, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 712 and 713 had passed Third Reading at 8:11 o'clock p.m.

Stand. Com. Rep. No. 639 on H.B. No. 714:

On motion by Representative Kunimura,

seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 714, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 640 on H.B. No. 715:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 715, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 714 and 715 had passed Third Reading at 8:12 o'clock p.m.

Stand. Com. Rep. No. 641 on H.B. No. 716:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 716, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 716 had passed Third Reading at 8:13 o'clock p.m.

Stand. Com. Rep. No. 642 on H.B. No. 717:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 643 on H.B. No. 718:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 644 on H.B. No. 719:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 645 on H.B. No. 720:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 646 on H.B. No. 1879:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1879, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1879 had passed Third Reading at 8:14 o'clock p.m.

Stand. Com. Rep. No. 648 on H.B. No. 907:

Representative Nakamura moved that the report of the majority of the Committee be adopted and H.B. No. 907, having been read throughout, pass Third Reading, seconded by Representative Taniguchi.

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

"Mr. Speaker, this bill would allow attorneys' fees to be awarded, in addition to medical costs, in cases heard before the Disability Compensation Division of the Department of Labor and Industrial Relations, when the decision is in favor of the injured party.

I have no objection to awarding attorneys' fees in such cases, but I would like to remind my colleagues that we have a Workers' Compensation Commission studying the entire workers' compensation law. We should not interfere with their deliberations by passing legislation like this.

The question addressed by this bill is one that rightfully should be considered by the Commission. We are not in a position to make an educated decision on this matter, to know the full impact of the bill, like the Commission is. Rather than pass this bill, Mr. Speaker, we should address this problem by way of a resolution calling the Commission's attention to it.

I request that my colleagues allow the Commission to do the job it was set up to do, to study this question

along with others and to report back to the Legislature next year. Therefore, I urge my colleagues to vote 'no' on this measure.

Thank you."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.B. No. 907, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEY'S FEES", passed Third Reading by a vote of 47 ayes, with Representatives Anderson, Dods, Ikeda and Kamali'i voting no.

The Chair directed the Clerk to note that H.B. No. 907 had passed Third Reading at 8:15 o'clock p.m.

Stand. Com. Rep. No. 653 on H.B. No. 1108:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1108, entitled: "A BILL FOR AN ACT RELATING TO LEAHI HOSPITAL", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 654 on H.B. No. 356:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 356, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE LAW ON SUSPENSIONS, DISMISSALS, DEMOTIONS, AND EMPLOYEE STATUS PENDING AN INVESTIGATION OF CHARGES", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 655 on H.B. No. 345, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 345, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1108, 356, and 345 had passed Third Reading at 8:16 o'clock p.m.

Stand. Com. Rep. No. 656 on H.B. No. 738:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 738, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 657 on H.B. No. 1885:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1885, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 658 on H.B. No. 1866:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1866, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 738, 1885, and 1866 had passed Third Reading at 8:17 o'clock p.m.

At 8:18 o'clock p.m., Representative Rohlfing asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:25 o'clock p.m.

Stand. Com. Rep. No. 676 on H.B. No. 867:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 867, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS IN THE DEPARTMENT OF THE ATTORNEY GENERAL", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Blair voting no.

Stand. Com. Rep. No. 677 on H.B. No. 50, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 50, HD

1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 867 and 677 had passed Third Reading at 8:25 o'clock p.m.

Stand. Com. Rep. No. 678 on H.B. No. 35, HD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 35, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Narvaes then rose and requested that his speech, in favor of the bill but with some reservations, be entered into the Journal. "Basically, it is my reservations that we are not giving enough of a tax credit, that 10 percent isn't sufficient. We should be more in line with states like California which gives approximately 25 percent."

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

Representative Narvaes' speech is hereby inserted, as follows:

"Mr. Speaker, I rise to speak in favor of House Bill 35, HD 1, with reservations.

Mr. Speaker, this bill, according to its accompanying committee report, amends Section 235-12, HRS, by extending the present solar tax credit expiration date from December 31, 1981, to December 31, 1985. In addition, the bill extends the definition of 'solar energy device' to include 'wind energy devices and heat pumps' -- all of which are to be included under the present income tax credit.

The attempt by Hawaii's citizens to produce electricity from alternative sources, such as the sun, wind and water, is an admirable step -- a positive step in the right direction. However, this attempt has not made a dent in the consumption of imported petroleum. In addition, I believe that although Hawaii is one of the national leaders in the use of tax credit to encourage alternate energy options, the 'credit' is too low. I have long advocated that even our efforts are not generous enough. There should, Mr. Speaker, be a total commitment to a full and timely write-off of the costs of installing solar, wind and heat pump devices. I hope we will do so next year. We must support and encourage independence from the use of fossil fuels. Reliance would only lead us to economic and social

disaster.

House Bill 35, HD 1, will give support and incentive to our citizens. Conservation would become a statewide event, making alternative energy production a major concern -- as it is in all industrial nations of the world. This bill would demonstrate Hawaii's seriousness in dealing with the energy problem.

Mr. Speaker, I urge the swift passage of this bill to encourage the energy needs of Hawaii.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 35, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR ENERGY DEVICES", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 35 had passed Third Reading at 8:26 o'clock p.m.

Stand. Com. Rep. No. 679 on H.B. No. 1584:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1584, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 680 on H.B. No. 278, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 278, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY FORECASTS AND ASSESSMENTS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1584 and 278 had passed Third Reading at 8:27 o'clock p.m.

Stand. Com. Rep. No. 681 on H.B. No. 1680, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1680, HD

1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Baker voting no.

The Chair directed the Clerk to note that H.B. No. 1680 had passed Third Reading at 8:28 o'clock p.m.

H.B. No. 238 on Third Reading:

Representative Nakamura moved that H.B. No. 238, having been read throughout, pass Third Reading, seconded by Representative Taniguchi

At 8:29 o'clock p.m., Representative D. Hagino asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:30 o'clock p.m.

Representative D. Hagino then rose and stated:

"Mr. Speaker, I just want to say a few words about this. Last session, there were several of us that wanted to vote against the Legislative Salary Commission's proposal which was mandated by the amendment to the Constitution. We didn't have our way then; we had to accept the proposal, and I cannot see now changing that proposal once it has been accepted. I realize it is creating many hardships but, you know, that is the way it went and that is the way it goes.

Thank you."

The motion was put by the Chair and carried, and H.B. No. 238, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 9, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR THE METHOD OF PAYMENT OF LEGISLATIVE SALARIES", passed Third Reading by a vote of 47 ayes, which was not less than two-thirds of all the members to which the House is entitled, to 4 noes, with Representatives Blair, D. Hagino, Kawakami and Marumoto voting no.

The Chair directed the Clerk to note that H.B. No. 238 had passed Third Reading at 8:32 o'clock p.m.

H.B. No. 787 on Third Reading:

On motion by Representative Hōnda, seconded by Representative Shito and carried, H.B. No. 787, entitled: "A

BILL FOR AN ACT RELATING TO CORRECTIONS", was recommitted to the Committee on Corrections and Rehabilitation.

H.B. No. 519, HD 1, on Third Reading:

Representative Sakamoto moved that H.B. No. 519, HD 1, having been read throughout, pass Third Reading, seconded by Representative Takamine.

Representative G. Hagino then offered the following amendment to H.B. No. 519, HD 1:

"The language contained in lines 6 to 13, inclusive, on Page 2 of H.B. No. 519, H.D. 1 as reads:

¹(A) Farm dwelling as used in this paragraph means a single-family dwelling located on and used in connection with a farm [or] where agricultural activity provides the major portion of income to the family occupying the dwelling;] and constitutes the predominate activity undertaken on the land by occupants of that dwelling; ¹

is amended to read:

¹(A) Farm dwelling as used in this paragraph means a single-family dwelling located on and used in connection with a farm [or] where agricultural activity [provides income to the family occupying the dwelling;] constitutes the primary activity undertaken on the land; ¹ "

At 8:34 o'clock p.m., Representative Stanley asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 8:35 o'clock p.m., Representative G. Hagino moved that the amendment be adopted, seconded by Representative Sakamoto.

Representative G. Hagino then rose to speak in favor of the amendment, stating:

"Mr. Speaker, everyone talks about inflation and how it has eroded the family income. When this bill was drafted, it was forgotten that farmers are also hard hit by inflation. The spouses and children of many farmers are working to supplement the family income and, in some cases, the supplement turns out to be the major portion of the family income. Under this bill, these farmers no longer meet the qualifications of a permissible use for an agricultural district. Farmers who are experiencing poor returns due to harvesting or yield problems would also no longer

qualify as a permissible use.

This new amendment, along with Section 4B, will address this concern.

Thank you."

The motion was put by the Chair and carried, and the amendment was adopted.

By unanimous consent, further action was deferred and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 519, HD 2, were made available to the members of the House at 8:15 o'clock p.m.

H.B. No. 1021, HD 1, on Third Reading:

Representative Sakamoto moved that H.B. No. 1021, HD 1, having been read throughout, pass Third Reading, seconded by Representative Takitani.

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

"Mr. Speaker, I rise to speak against House Bill 1021, HD 1, which would remove the chairmen of the Hawaiian Homes Commission, the Department of Land and Natural Resources, and the Department of Agriculture from the provisions of Chapter 26.

The intent of the bill is to allow these chairmen to serve at the pleasure of the Governor--not a bad intent in itself, and one that I generally would support. That's the good news about this bill.

Now, the bad news. The bill strips the 8 year limit to which other boards and commission members must adhere. I thought the 8 year limit was a good idea when it was first implemented into law, and I still do.

It may be puzzling then, that in this case I favor that these chairmen serve 'with' their Governor, and yet, that I also favor a limit on their terms.

The confusing predicament arises because the Hawaiian Homes Commission and the Department of Land and Natural Resources chairmen, and the chairman of the Department of Agriculture -- these Departments are not headed by department heads, but by boards. The Governor then selects one of their number to serve as chair and as a member of his cabinet.

This bill will undoubtedly pass, but at this point in time, I would like to flag out the desirability for instead a single executive head for these departments. Having one person in charge would greatly

increase efficiency, visibility and accountability and I think it would give them the stature that the positions are due. It would also allow the department heads to serve as long as the Governor and even longer under another Chief Executive. This person would then not have to be an exception to Chapter 26.

Thank you very much."

At 8:38 o'clock p.m., Representative Dods asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:40 o'clock p.m.

Representative Sakamoto then rose and stated:

"Mr. Speaker, just one correction to the previous speaker's statements.

The Director is not selected from among the members of the board. He is selected by the Governor, and the Governor also selects the other board members.

Thank you."

Representative Kamal'i then rose to speak against the bill, stating:

"Mr. Speaker, there are several reasons for urging the defeat of House Bill 1021. First, the committee report which accompanies this measure is incorrect and misleading. For my colleagues who may be supporting this bill because they believe that it may make the terms of appointed chairmen of the boards and commissions of the Departments of Hawaiian Homes, Land and Natural Resources, and Agriculture coterminous with the tenure of the appointing authority, let me say that such is not the language of the bill.

In the rush to meet our own deadlines, errors sometimes occur in committee reports. I believe this kind of mistake has been made. However, we often compound that error by permitting the report to stand and hoping that the bill will speak loudly enough to override whatever misinterpretation may accompany it.

In this instance, however, it is the committee report which I would want reflected in the bill. However, there would be difficulties even with that language.

There are notable exceptions in

our appointing process to separate the appointee from the appointer, most conspicuously in the judicial branch of our government. This separation is one of governmental powers and the overwhelming appropriateness of enhancing the independence of the appointee from the Governor.

In the instance of the executive departments and powers, though, we want to achieve just the opposite outcome: Departments should be reflective of the Governor and, by implication, subject to the same citizen review explicit in the election results. However, this premise is also tempered by a proper regard for the infusion of new ideas and talents regardless of the particular individual serving as Governor.

This danger was recognized in these particular departments as especially acute. Unlike our other departmental organizations, the Departments of Land and Natural Resources, Agriculture, and Hawaiian Homes are administered by a body of citizens and not primarily by a cabinet official. In that way, the Constitution has provided a special safeguard of public participation and direction for those areas conceived of as having a kind of 'higher purpose and function' in the fulfillment of governmental responsibility and accountability.

Mr. Speaker, that delicate balance would be upset by the terms of this bill. It would, in effect, be similar to placing the judiciary in the untenable position of serving at the will of the Governor.

I urge the members of this body to defeat this measure on what I have said."

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

"Mr. Speaker, there are a number of underlying assumptions in the appointing process and authority, and there are times when such assumptions are in conflict with accepted practices of responsibility and aversions to cumulative power.

Let me explain what I mean. We have a two-term limitation on the allowable tenure of individuals serving on boards and commissions. Regardless of their talents, abilities, or contributions of public service, we have agreed in law that no one should sit for longer than eight years. There is a stated principle, then, not to permit an accumulation of influence or power by any one individual within a particular area of governmental concern.

In the same way, Mr. Speaker, the voters of this State have also ratified a constitutional amendment to limit the

terms of our Chief Executive Officer to eight years. Thus, the appointing power of the Governor will, in the future, also be circumscribed by this limitation.

We are in a period of transition, however. Our present Governor is not bound by that limitation and may seek a third term. In addition, by unfortunate circumstances, our present Governor also assumed the remainder of his predecessor's term because of illness. This bill, then, may be thought to bridge those requirements by allowing for a two-term exemption for present executive officers or for a continuing democratic dynasty in this State. I cannot go along with that 'new' assumption about appointing powers.

By permitting the directors of the Departments of Land and Natural Resources, Hawaiian Homes and Agriculture to serve without limitation is not only to violate the notion that eight years is long enough without risking undue influence. It also shifts the balance of constitutionally-described power within each of these departments. Unlike some of our other departments, the director is not legally the head of the department -- the various governing boards and commissions are.

Thus, this measure would, by its exemption of only the director, imply that the board members may 'come and go' but that the director may stay and rule.

I find that implication ominous to the democratic process. Our departments are servants of the public will and interest, not potential kingdoms for particular individuals. If we are to maintain that assertion, however, we cannot enact this measure.

I urge my colleagues to join me in voting 'no' on this bill.

Thank you."

Representative Marumoto then rose and stated:

"Mr. Speaker, I thank the Chairman of the Water, Land Use Committee for his correction, but perhaps the long hours in the Finance Committee has made me rather inarticulate, but I do believe I said the Governor selects one of their number to serve as chair and as a member of his cabinet. I would be happy to provide the Chairman of the Water, Land Use Committee with the text of my

speech.

Thank you very much."

Representative Kamali'i then rose and requested a roll call vote on this bill.

At 8:48 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:53 o'clock p.m.

Roll call having been requested, the motion was put by the Chair and carried, and H.B. No. 1021, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EXECUTIVES", passed Third Reading by a vote of 38 ayes to 12 noes, with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros, Monahan, Narvaes, Rohlfling and Wong voting no, and Representative Morioka being excused.

H.B. No. 540, HD 1, on Third Reading:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 540, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON JUDGMENTS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1021 and 540 had passed Third Reading at 8:55 o'clock p.m.

H.B. No. 53, HD 1:

On motion by Representative de Heer, seconded by Representative Sakamoto and carried, H.B. No. 53, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE PLANNING", having been read throughout, passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Anderson, Lacy, Liu and Marumoto voting no.

H.B. No. 1590, HD 1:

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, H.B. No. 1590, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT", passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Ikeda and Rohlfling voting no.

The Chair directed the Clerk to note that H.B. Nos. 53 and 1590 had passed Third Reading at 8:56 o'clock p.m.

At 8:57 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:00 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 709) recommending that H.B. No. 807, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 710) recommending that H.B. No. 1239, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1239, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 711) recommending that H.B. No. 241, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 241, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXCISE TAX CREDIT", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 712) recommending that H.B. No. 769, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura,

seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 769, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE 1984 SILVER JUBILEE OF HAWAII'S STATEHOOD AND MAKING AN APPROPRIATION THEREFOR", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 713) recommending that H.B. No. 1579, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1579, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING INDUSTRIAL PARKS FOR FOOD MANUFACTURERS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 714) recommending that H.B. No. 10, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 714 on H.B. No. 10, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 10, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 715) recommending that H.B. No. 630, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 715 on H.B. No. 630, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 630, HD 1, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 716) recommending that H.B. No. 767, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 716 on H.B. No. 767, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with

Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 767, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 717) recommending that H.B. No. 957, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 717 on H.B. No. 957, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 957, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 718) recommending that H.B. No. 1451, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 718 on H.B. No. 1451, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1451, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 719) recommending that H.B. No. 1604, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 719 on H.B. No. 1604, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1604, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 720) recommending that H.B. No. 1880, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 720 on H.B. No. 1880, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of

H.B. No. 1880, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 721) recommending that H.B. No. 1808, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 721 on H.B. No. 1808, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1808, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 722) recommending that H.B. No. 1053, HD 1, pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and action on H.B. No. 1053, HD 1, was deferred one day.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 723) recommending that H.B. No. 742 pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and action on H.B. No. 742 was deferred one day.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 724) recommending that H.B. No. 1267, HD 1, pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and action on H.B. No. 1267, HD 1, was deferred one day.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 725) recommending that H.B. No. 1522, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1522, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF LEASED OR RENTED PERSONAL PROPERTY", passed Second

Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 726) recommending that H.B. No. 194, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 194, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 727) recommending that H.B. No. 293, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 728) recommending that H.B. No. 1428, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREJUDGMENT INTEREST", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 729) recommending that H.B. No. 1838, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1838, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 730) recommending that H.B. No. 1871 pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and action on H.B. No. 1871 was deferred one day.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 731) recommending that H.B. No. 920 pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and action on H.B. No. 920 was deferred one day.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 732) recommending that H.B. No. 925 pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and action on H.B. No. 925 was deferred one day.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 733) recommending that H.B. No. 1874, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 733 on H.B. No. 1874, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1874, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 734) recommending that H.B. No. 66, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 734 on H.B. No. 66, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 66, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 735) recommending that H.B. No. 1571, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 735 on H.B. No. 1571, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1571, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 736) recommending that H.B. No. 1158, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 736 on H.B. No. 1158, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1158, HD 1, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 737) recommending that H.B. No. 923, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 737 on H.B. No. 923, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 923, HD 1, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 738) recommending that H.B. No. 822 pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and action on H.B. No. 822 was deferred one day.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 739) recommending that H.B. No. 1007 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1007, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS FOR LEGISLATIVE RELIEF",

passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 740) recommending that H.B. No. 1167, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1167, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE VENTURE CAPITAL INFORMATION CENTER", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 741) recommending that H.B. No. 797, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 797, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 742) recommending that H.B. No. 370, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 742 on H.B. No. 370, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 370, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 743) recommending that H.B. No. 641, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 743 on H.B. No. 641, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 641, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report

(Stand. Com. Rep. No. 744) recommending that H.B. No. 785, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 744 on H.B. No. 785, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 785, HD 1, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 745) recommending that H.B. No. 779, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 745 on H.B. No. 779, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 779, HD 1, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 746) recommending that H.B. No. 114, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 746 on H.B. No. 114, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 114, HD 1, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 747) recommending that H.B. No. 824, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 747 on H.B. No. 824, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 824, HD 1, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 748) recommending that H.B. No. 76, as

amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 748 on H.B. No. 76, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 76, HD 2, were made available to the members of the House at 9:00 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 749) recommending that H.B. No. 956, HD 1, pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and action on H.B. No. 956, HD 1, was deferred one day.

At 10:04 o'clock p.m., Representative Kunimura asked for a recess and the Chair declared a recess, subject to the call of the Chair.

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

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 691 on H.B. No. 1233:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1233, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS ADMINISTRATOR", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1233 had passed Third Reading at 10:21 o'clock p.m.

Stand. Com. Rep. No. 701 on H.B. No. 1875, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the majority of the Committee was adopted and action on H.B. No. 1875, HD 1, was deferred one day.

Stand. Com. Rep. No. 702 on H.B. No. 1583:

On motion by Representative Kunimura, seconded by Representative Kiyabu

and carried, the report of the majority of the Committee was adopted and action on H.B. No. 1583 was deferred one day.

Stand. Com. Rep. No. 703 on H.B. No. 922:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the majority of the Committee was adopted and action on H.B. No. 922 was deferred one day.

Stand. Com. Rep. No. 704 on H.B. No. 919:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 919, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF A JUDGMENT BETWEEN THE STATE OF HAWAII AND SYLVIA GAMINO", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 919 had passed Third Reading at 10:22 o'clock p.m.

At 10:23 o'clock p.m., Representative Stanley asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:24 o'clock p.m.

Stand. Com. Rep. No. 605 on H.B. No. 1255:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 1255, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION FOR THE OFFICE OF HAWAIIAN AFFAIRS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1255 had passed Third Reading at 10:25 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative Kunimura moved that the House reconsider its action taken earlier in adopting the committee reports and passing the following House bills on Third Reading: Stand. Com. Rep. No. 635 on H.B. No. 710;

Stand. Com. Rep. No. 636 on H.B. No. 711; Stand. Com. Rep. No. 637 on H.B. No. 712; Stand. Com. Rep. No. 638 on H.B. No. 713; Stand. Com. Rep. No. 639 on H.B. No. 714; Stand. Com. Rep. No. 640 on H.B. No. 715; and Stand. Com. Rep. No. 641 on H.B. No. 716.

The motion was seconded by Representative Kiyabu and carried.

Representative Kunimura then moved that action on the above mentioned bills be deferred one day, seconded by Representative Kiyabu and carried.

At 10:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:18 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Blair, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 750) recommending that H.B. No. 171, 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 Hirono and carried, Stand. Com. Rep. No. 750 and H.B. No. 171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON CREDIT CARDS", were recommitted to the Committee on Consumer Protection and Commerce, notwithstanding the recommendation of the committee report.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 751) recommending that H.B. No. 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

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

The Chair directed the Clerk to note that printed copies of H.B. No. 1, HD 1, were made available to the members of the House at 10:05 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 752) recommending that H.B. No. 1576, as amended in HD 1, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 752 on H.B. No. 1576, HD 1, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1576, HD 1, were made available to the members of the House at 11:05 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 753) recommending that H.B. No. 984, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 753 on H.B. No. 984, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 984, HD 2, were made available to the members of the House at 11:05 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 754) recommending that H.B. No. 629, as amended in HD 2, pass Third Reading.

By unanimous consent, further

action on Stand. Com. Rep. No. 754 on H.B. No. 629, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 629, HD 2, were made available to the members of the House at 11:05 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 755) recommending that H.B. No. 1870, as amended in HD 2, pass Third Reading.

By unanimous consent, further action on Stand. Com. Rep. No. 755 on H.B. No. 1870, HD 2, was deferred until Wednesday, March 18, 1981, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1870, HD 2, were made available to the members of the House at 11:15 o'clock p.m.

ADJOURNMENT

At 11:20 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlffing and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, March 17, 1981.

THIRTY-FOURTH DAY

Tuesday, March 17, 1981

The House of Representatives of the Eleventh Legislature, of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Mitzi Eilts representing United Church of Christ, after which the Roll was called showing all members present with the exception of Representatives Kobayashi and Sakamoto, who were excused.

By unanimous consent, reading of the Journal was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 33 to 68) were read by the Clerk and disposed of as follows:

A communication from the Senate (Sen. Com. No. 33) transmitting Senate Concurrent Resolution No. 33, SD1 urging the opposition of hazardous nuclear activity in the Pacific which was adopted by the Senate on March 16, 1981, was read by the Clerk and was placed on file.

By unanimous consent, action on S.C.R. No. 33, SD1, was deferred.

A communication from the Senate (Sen. Com. No. 34) transmitting Senate Concurrent Resolution No. 34, SD1 urging a national policy on the subject of storage of spent fuel and nuclear waste which was adopted by the Senate on March 16, 1981, was read by the Clerk and placed on file.

By unanimous consent, action on S.C.R. No. 34, SD1, was deferred.

A communication from the Senate (Sen. Com. No. 35) transmitting Senate Bill No. 43, SD1 entitled: "A BILL FOR AN ACT RELATING TO LIVING WILLS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 36) transmitting Senate Bill No. 48, SD1 entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", which passed Third

Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 37) transmitting Senate Bill No. 74, SD1 entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 38) transmitting Senate Bill No. 126, SD1 entitled: "A BILL FOR AN ACT RELATING TO MINORS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 39) transmitting Senate Bill No. 138 entitled: "A BILL FOR AN ACT RELATING TO MINIMUM SENTENCES", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 40) transmitting Senate Bill No. 141, SD1 entitled: "A BILL FOR AN ACT RELATING TO ELECTION REPORTS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 41) transmitting Senate Bill No. 164, SD1 entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 42) transmitting Senate Bill No. 320 entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC HEALTH AND MORALS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 43) transmitting Senate Bill No. 394, SD1 entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY MOTOR VEHICLE PLATES", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 44) transmitting Senate Bill No. 417 entitled: "A

BILL FOR AN ACT RELATING TO ADOPTION", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 45) transmitting Senate Bill No. 523, SD1 entitled: "A BILL FOR AN ACT RELATING TO HAWAII INSURANCE LAW", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 46) transmitting Senate Bill No. 525, SD1 entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIR INDUSTRY", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 47) transmitting Senate Bill No. 530, SD1 entitled: "A BILL FOR AN ACT RELATING TO BEAUTY CULTURE", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 48) transmitting Senate Bill No. 567, SD1 entitled: "A BILL FOR AN ACT RELATING TO NO FAULT INSURANCE", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 49) transmitting Senate Bill No. 574, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 50) transmitting Senate Bill No. 587, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF HEARING AID DEALERS AND FITTERS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 51) transmitting Senate Bill No. 572, SD1 entitled: "A BILL FOR AN ACT RELATING TO STATE VEHICLE REGISTRATION FEE AND WEIGHT TAX", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate

(Sen. Com. No. 52) transmitting Senate Bill No. 592 entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF CERTIFICATION OF PRACTICING PSYCHOLOGISTS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 53) transmitting Senate Bill No. 803 entitled: "A BILL FOR AN ACT RELATING TO ZONING", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 54) transmitting Senate Bill No. 884 entitled: "A BILL FOR AN ACT RELATING TO MAXIMUM SPEED LIMIT", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 55) transmitting Senate Bill No. 995, SD1 entitled: "A BILL FOR AN ACT RELATING TO JURORS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 56) transmitting Senate Bill No. 1000, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED FELONS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 57) transmitting Senate Bill No. 1015 entitled: "A BILL FOR AN ACT RELATING TO NON-PROFIT AGENCIES AND CORPORATIONS ACTING AS GUARDIANS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 58) transmitting Senate Bill No. 1022, SD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 10)", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 59) transmitting Senate Bill No. 1028, SD1 entitled: "A BILL FOR AN ACT RELATING TO RESIGNATION FROM PUBLIC OFFICE (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 7)", which

passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 60) transmitting Senate Bill No. 1071 entitled: "A BILL FOR AN ACT RELATING TO PARENTS AS NATURAL GUARDIANS OF INCAPACITATED PERSONS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 61) transmitting Senate Bill No. 1072 entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 62) transmitting Senate Bill No. 1628, SD1 entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 63) transmitting Senate Bill No. 1985, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 64) transmitting Senate Bill No. 2056 entitled: "A BILL FOR AN ACT RELATING TO NEGLIGENT HOMICIDE", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 65) transmitting Senate Bill No. 2071, SD1 entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL CONTEMPT OF COURT", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 66) transmitting Senate Bill No. 113 entitled: "A BILL FOR AN ACT RELATING TO THE CUSTODY AND TREATMENT OF PRISONERS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate

(Sen. Com. No. 67) transmitting Senate Bill No. 332, SD1 entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 68) transmitting Senate Bill No. 1335, entitled: "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS, AND SURVEYORS", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlfling and carried, S.B. Nos. 43, SD1; 48, SD1; 74, SD1; 126, SD1; 138, 141, SD1; 164, SD1; 320; 394, SD1; 417; 523, SD1; 525, SD1; 530, SD1; 567, SD1; 574, SD1; 587, SD1; 572, SD1; 592; 803; 884; 995, SD1; 1000; 1015; 1022, SD1; 1028, SD1; 1071; 1072; 1628, SD1; 1985, SD1; 2056; 2071, SD1; 113; 332, SD1; and 1335 passed First Reading by title and further action was deferred.

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

Representative Aki introduced fourth and fifth grade students from Pohakea Elementary School in Ewa Beach, along with their teacher, Mrs. Amy Horiguchi.

Representative Marumoto introduced eighty fifth graders from Kahala Elementary School. They were with their teachers, Carol Campbell, Carol Maehara and Sharon Inamine.

Representative Dods introduced sixty-three third grade students from Hahaione School. They were accompanied by their teachers, Mrs. Izumi, Mrs. Murakami and three helpers: Mrs. Matsuura, Mrs. Snyder and Mrs. Lee. Representative Dods' son Wade, was among the students from this class.

SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Rohlfling and carried, the rules were suspended for the purpose of considering bills for Third Reading on the basis of a modified consent calendar.

ORDER OF THE DAY

UNFINISHED BUSINESS

H.B. No. 710 on Third Reading:

By unanimous consent, action on Third Reading of H.B. No. 710 was deferred to the end of the calendar.

H.B. No. 711 on Third Reading:

By unanimous consent, action on Third Reading of H.B. No. 711 was deferred to the end of the calendar.

H.B. No. 712 on Third Reading:

By unanimous consent, action on Third Reading of H.B. No. 712 was deferred to the end of the calendar.

H.B. No. 713 on Third Reading:

By unanimous consent, action on Third Reading of H.B. No. 713 was deferred to the end of the calendar.

H.B. No. 714 on Third Reading:

By unanimous consent, action on Third Reading of H.B. No. 714 was deferred to the end of the calendar.

H.B. No. 715 on Third Reading:

By unanimous consent, action on Third Reading of H.B. No. 715 was deferred to the end of the calendar.

H.B. No. 716 on Third Reading:

By unanimous consent, action on Third Reading of H.B. No. 716 was deferred to the end of the calendar.

H.B. No. 717 on Third Reading:

By unanimous consent, action on Third Reading of H.B. No. 717 was deferred to the end of the calendar.

H.B. No. 718 on Third Reading:

By unanimous consent, action on Third Reading of H.B. No. 718 was deferred to the end of the calendar.

H.B. No. 719 on Third Reading:

By unanimous consent, action

on Third Reading of H.B. No. 719 was deferred to the end of the calendar.

H.B. No. 720 on Third Reading:

By unanimous consent, action on Third Reading of H.B. No. 720 was deferred to the end of the calendar.

H.B. No. 1875, HD1 on Third Reading:

Representative Kunimura moved that H.B. No. 1875, HD1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Rohlfing rose to speak against the bill stating:

"Mr. Speaker, it's kind of hard to be against a project that offers such opportunity for improvement of an area that is rather run down in our harbor complex. On the other hand, we see that this project has the infusion, or at least the commitment of some thirty-two million dollars of government funds by way of revenue bonds. I'm aware that the revenue bond provisions are staged at, and in the companion measure, are very clear to the extent that this is the maximum of our liability and so forth.

However, I think that in any case where the state commits itself to bonding, it has whether it is required legally to follow through and be responsible for the project or not, it would ultimately have the moral obligation and the practical obligation, that if something went wrong, that we would have to put up the money, and that is to say that if the revenue did not come in, and certain other things.

It seems to me that it is unnecessary for us to go to this extent on this particular property and this particular project. There certainly would be sufficient interest in the community to come up, from the stand point of private development, with the kind of property that's there, without all of the government commitment that is being proposed in this session. And from that stand point, Mr. Speaker, I think it is unwise for us to take this step."

Representative de Heer rose to speak against this bill stating:

"Mr. Speaker, I will try to be

brief. Recently we commissioned our legislative auditor to do an audit on the planning for the World Trade Center. Although this particular project is different and is almost like comparing apples and oranges, there are some very definite problems.

First of all, as our audit clearly stated that the planning process was violated in the preparation for the plans for the World Trade Center. But looking at the actual substance that's involved here, rather than committing thirty-three million dollars in revenue bonds, would it not be a more prudent alternative to look at an activity that would draw people into downtown twenty-four hours a day? Look at the proposed architect's design. What we're dealing with is essentially an office complex and a hotel. Our audit clearly showed that the problem in downtown is not daytime activity, because as you all know, our daytime activity in downtown is rather busy. The problem is encouraging constructive and positive income at night.

A proper planning approach, has an assiduous look for all possible alternatives. A possible use of the site would be a convention center, to be a daytime amphitheater. The second aspect would be, what we actually want our downtown to look like. The proposed design, at least I thought at various meetings, is a basically standard, uninteresting architectural design. The benefit is that we have a clear view of the Aloha Tower which would be the centerpiece. But certainly there are other communitites throughout the world where they have quite an outstanding architectural feature as a gateway into the harbor front. And you look at Sydney, Australia, as a possible example.

So rather than committing thirty-three million dollars in revenue bonds, I would rather suggest that we look at more alternatives rather than going ahead with this project at this time. I think the objective is clear.

There's another concern I'd like to address before I sit down, and that is the initial desire for a World Trade Center and using Hawaii as a regional center for world trade development is laudable

and is desirable, and as our audit clearly shows, the objectives of the World Trade Center were really undermined by the fact that none of the activities that make up the World Trade Center were ever put into effect. I'd much rather go back to that concept, than to use government dollars to make Hawaii a regional trade center of the world, rather than putting up as this plan supports to put up an office complex and hotel."

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

"It's rather surprising all of the statements made in previous sessions about developing Hawaii as a hub and axle of the Pacific area and here today, sitting here and listening to the arguments against this project that we should continue to study. Our national dilemma is because we have had too many studies. Our local dilemma is also because we've had too many studies. It's about time that we do what the Hawaiians always said, "paa ka waha, hana kalima", close your mouth and work.

Mr. Speaker, I wonder how many of us really realize that this state of Hawaii does not have the fiscal power to push a project of this nature across the goal line, and the plan for it through a revenue bond measure is, I feel, the most feasible one to keep this project moving, to continue to keep the attention of the Pacific nations that here in Hawaii we do mean what we say, without committing the general fund obligation of the state of Hawaii.

Mr. Speaker, if this project is not worthy of the investment, than those that will be looking at the project will not buy the bonds. Then we're going to have to come back again and decide at that time whether the assests of the State of Hawaii shall be committed to this project or not. But to continue to do the study, and continue to say that we should look for another alternative, we've looked at every alternative. We've talked about World Trade Centers, we've talked about Hawaii initially and John A. Burns, Governor Burns' dream of making Hawaii the hub of the Pacific world. This dream, many of us would like to see come true. But yet, we are handicapped because of our limited fiscal ability and this is why, the financing means of revenue bonds is being forwarded. By passing this measure, then, they

can go ahead and have people look at this project, whether it's feasible or not and, therefore, I request all members of the House to vote aye on this measure."

The motion was put by the Chair and carried, and H.B. No. 1875, HD1 entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REDEVELOPMENT OF THE ALOHA TOWER COMPLEX", passed Third Reading by a vote of 43 ayes to 5 noes, with Representatives Baker, de Heer, Isbell, Rohlfing and Takitani voting no and Representatives Kobayashi, Sakamoto and Wong being excused.

The Chair directed the Clerk to note that H.B. No. 1875, HD1, had passed Third Reading at 11:53 o'clock a.m.

H.B. No. 1583 on Third Reading:

Representative Kunimura moved that H.B. No. 1583, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Kamali'i rose to speak against this bill stating:

"Mr. Speaker, this bill would create another deputy director position in the Department of Planning and Economic Development. The precise nature of this position is not spelled out in the body of this bill, but from Stand. Com. Rep. No. 702, and by cross reference to our House budget bill, I am assuming that this authorization is linked to administrative sprawl and a new division of energy. My primary reservations about this position, however, are not centered on the worthiness of such a division or not, although it would be helpful if this detail were included in this measure. What bothers me, Mr. Speaker, is that this kind of deputy director, new division growth of government, is I believe, an end run on the constitutional limit of twenty imposed on the number of allowable departments within this state.

The total reorganization of our executive department is long overdue. Enormous changes and strong suggestions of duplication in government services have occurred over the twenty years of statehood. The notion of needing an energy division, for example, is a reflection

of new concern. But the vitality of these concerns is overshadowed by our inappropriate approach as how we meet these needs. To continue creating many departments is irresponsible, both as an administrative tactic and as a strategy to seek resolution of recognized need.

On another level, I cannot support this position because of my past knowledge about the political implications of such posts. If it weren't for the irony of the symbols, Mr. Speaker, I would say the deputy director's slot is the equivalent of the elephant burial ground. A place for tired, former elected officials to go for three years and enhance their retirement benefits. Maybe that seems unduly cynical, but I find no persuasive argument for continuing this practice of establishing new divisions instead of a total review and reorganization of our departmental structure. We are only showing a lack of planning by continuing to graft important functions and programs to existing but questionable departments. The review on the other hand, would allow us to encourage the comprehensive and changing nature of government's responsibilities. To serve that kind of notice then, I urge my colleagues to defeat this bill."

Representative Kunimura rose to speak in favor of this bill stating:

"Mr. Speaker, maybe most of us have not had the opportunity to know the history of state government, but this Department of Planning and Economic Development was at one time, separate -- separated by law. One was Planning, one was Economic Development. And then in the reorganization, they put the two together, but the legislatures of the past have never seen fit, or never really understood, that you can not overload the camel because the last straw may break his back. And the legislatures of the past, and even this legislature, adds more and more responsibility to the Department of Planning and Economic Development. Mr. Speaker, in all honesty, this department has one director, and one deputy.

When we had the energy crisis not too long ago, we all screamed, jumped up and down, because we didn't have someone to take charge. And the nature of this Department of Planning and Economic Development is one that does a lot of outside work.

International meetings, meetings in the United States to carry out our ambition, and we have the director doing most of that, the liaison with the federal government and other foreign governments, and we have one deputy director that has to do the work of maybe three. Mr. Speaker, even with one additional deputy, we're still being very stingy, and we continue to ask the department to carry out a lot of extra functions and never give them the support to do the job that we require them to do. And therefore, Mr. Speaker, I feel that this bill creating another deputy, or the second deputy, in the Department of Planning and Economic Development is a just one and one that we all can be very proud of, that we do not continue to load the camel and try to break his back."

Representative Kamali'i rose again to speak against the bill stating:

"I rise again to rebut those statements. There's not many that are members of this House who have the history of our illustrious Kauai legislator. I would have hoped that he would have understood my remarks that a total reorganization is needed. He made remarks several days ago about doing away with this legislature and government. That's not a bad idea if we could start all over again. This is precisely what I am suggesting, rather than a piecemeal approach to many departments. You think you're going to get away with one position? A deputy director? Does he do his own typing? I doubt that. Here again, the committee report doesn't even state that he would be in charge of the energy, that was as I said, picked up in the budget. I think we have to be more responsible as legislators if the administration is not. We must look at our total responsibility in these departments. DPED is overloaded, so is DLNR, and that's why they're doing such a lousy job. But this isn't the way to do it. And this is why I say, if you're going look at what we have to do for the next ten years in this state, then, let's do it correctly and not piecemeal."

Roll call having been requested, the motion was put by the Chair

and carried, and H.B. No. 1583 entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT", passed Third Reading by a vote of 36 ayes to 11 noes, with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros, Monahan, Narvaes and Rohlfing voting no, and Representatives Kobayashi, Morioka, Sakamoto and Wong being excused.

The Chair directed the Clerk to note that H.B. No. 1583 had passed Third Reading at 12:04 o'clock p.m.

H.B. No. 922 on Third Reading:

Representative Kunimura moved that H.B. No. 922, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Rohlfing rose to speak against the bill stating:

"Mr. Speaker, this subject goes back quite awhile. There is a history dealing with the federal program coordinator's office, which this bill proposes to amend in the statutes as they now exist. Going back as far as 1965, when the first proposals were enacted by the legislature, which felt there ought to be someone in Washington looking after the federal connections from the state's point of view.

Contrary to the contents of the pending committee report, however, the real reason for the failure to fill that position, even though the legislature had enacted it, was not money, because the money was available by the legislative policy and enactment of the budget if need be, but because the congressional delegation in Washington did not want anybody in Washington interfering in what they were doing. In 1977, some twelve years later, as we all know, a consultant was appointed, who gets about eighty-two thousand dollars a year to perform some liaison functions for the state of Hawaii with respect to federal programs. And I understand that that has been a very useful thing as far as the government is concerned.

So when we look at what we're doing here, we're creating another state position, another state staff here in Hawaii to coordinate supposedly, federal programs. What do we have in Washington at this point? Quite

a different thing from what we had in 1965, or in 1969. There are eighty-eight full time staff people on the staffs of our four majority party congressmen in Washington. It does not count the part-timers, the interns, the law students, etc. The payment for these people on the House of Representatives staffs totals something like six-hundred seventy-two thousand seven hundred and sixty-eight dollars. I was not able to get how much the Senate staff gets paid, but since there are more of them than in the House, I would say that it would be certainly conservative to guess that twice that amount was being expended, or one million three-hundred and fifty thousand dollars. The senators and representatives themselves pull down about two-hundred and forty thousand dollars. So we tax payers of this country are paying a million six for these people in Washington and Hawaii on the staffs of our congressional delegation. To that you can add eighty-two thousand five hundred paid to the consultant or one point seven million dollars roughly for what we already have going.

It seems to me, with that kind of input and that kind of staffing and money, that it makes very little sense to create an office here in Honolulu, when we already have a very big bureaucracy: a Governor's staff with many assistants, departments and others to handle this particular function. And who is to say, certainly, that the person appointed that lives here, works here, is going to be able to bridge the gap which is supposedly the reason for this bill, namely to coordinate the problems that may arise in integrating the state budget and the county situations with the changes in managing the federal funds at the Washington level under the economic recovery program, which is being urged on Congress by the administration. Certainly not by bureaucrats here. The only way I think that that gap would ever be bridged, is by the citizens of the state in the next election."

At 12:09 o'clock p.m., on request by Representative Kunimura, the Chair declared a recess, subject to the call of the Chair.

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

Representative Waihee rose to

speak in favor of this bill stating:

"Mr. Speaker, I do not know the history behind this statute. I do know, however, that we are entering an era of uncertainty in regard to federal funding. And this uncertainty is reflected in the concerns of all people who are involved in human programs and it seems to me that this time especially, we need more than a half time position in the Governor's office coordinating our efforts with the federal government. Thus, Mr. Speaker, it would seem most appropriate that we ask this legislation giving our people the full time support that they deserve in Hawaii with regard to federal support funding and coordination."

Representative Lacy rose to speak against this bill stating:

"Mr. Speaker, I spoke for a few moments in the last committee meetings in which we discussed this item. I feel strongly that this person is not needed to be added to the staff and the ones he will have to support him. But the most interesting thing is that we set forth in the authorization for this position, the fact that this person has contracting rights. Can you imagine, he can contract for this help he'll need in Washington? We're not going to get rid of the Washington representatives. That area is still going to be covered. We're not going to get rid of expenditures. We're probably going to have to have studies done. We're probably going to have to go out and get those who are really competent in filling out grants to train us how to do it in our agencies, so that we'll be able to meet those. This one person is not going to be able to do that alone. I want you to keep in mind, that just at the time we're trying to cut down the expenses, so that we can put more into grants and aid, some of those programs that many of you that sit here today were begging for ten and fifteen thousand dollars, you're getting ready to permit someone to hire and spend the money for more people, when we don't need more people. We need to get at it, and get the job done."

Representative Kamali'i rose to speak against this bill stating:

"Mr. Speaker, I have two major concerns to this measure. One, this position is redundant of the responsibilities which I think, are appropriate to the conscientious

congressional delegation.

And two, by the description of this federal affairs coordinator's position, he may as recently stated, contractly arrange for the fulfillment of his responsibilities. Let me provide some detail to both of these points.

First, there were genuine communication and coordination of interest between state and congressional officials. I believe that the need being highlighted by this measure should be met. I do not mean that our elected national officials would function as direct liaisons with federal departments or programs. But that they could be relied upon to direct necessary contacts for such information and assistance. Further, I feel that this approach could become a network of ever enhanced accessibility and cooperation. At the least, we should explore and exercise this option before establishing another position.

Second, I have grave questions about the effectiveness and advisability on continuing the possibility of contractual lobbyist services. We have such an arrangement now paid for out of the governor's contingency fund, to the tune of eighty-two thousand five hundred dollars a year. For those of you who may be accustomed to seeing a salary of thirty-two thousand dollars as a bargain for government services, I want to warn you of a hidden expense involved in this measure. Also, I do not believe that this kind of contractual service generally serves the people of Hawaii. At least our experience so far, more than suggests otherwise.

Am I the only one in this House who has yet to discern exactly what Mrs. Lipson does for us? Or how she has justified her expense to us? In conclusion, Mr. Speaker, I find this move very inappropriate, especially at this time. President Reagan has proposed, and I feel he has the congressional backing to enact block grant funding to the state. Whereas this kind of coordinator might have been a value in the past, where a variety of agencies administered a multitude of programs with various compliance and qualification standards, we are now headed toward lump sum appropriations subject to state direction, our direction, our priorities. At the most fundamental level, I find this proposal outmoded

and unnecessary. This proposal strikes me as the usual well intended, well ill timed, but ill timed gesture of futility which has too often characterized our state's relationship to the federal government. It's about time we in the legislature, and the state administration, look at our own priorities and make these decisions, not to hire someone to make them for us. I ask that you vote no."

Roll call having been requested, the motion was put by the Chair and carried, and H.B. No. 922 entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL PROGRAMS COORDINATOR", passed Third Reading by a vote of 36 ayes to 12 noes, with Representatives Anderson, Ikeda, Isbell, Kamali'i, Kawakami, Lacy, Liu, Marumoto, Medeiros, Monahan, Narvaes and Rohlfing voting no, and Representatives Kobayashi, Sakamoto and Wong being excused.

The Chair directed the Clerk to note that H.B. No. 922 had passed Third Reading at 12:20 o'clock p.m.

H.B. No. 1053, HD1 on Third Reading:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 1053, HD1 entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT EDUCATION", having been read throughout, passed Third Reading by a vote of 48 ayes with Representatives Kobayashi, Sakamoto and Wong being excused.

H.B. No. 742 on Third Reading:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 742 entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW", having been read throughout, passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Anderson, Monahan, Narvaes, Rohlfing and Wong voting no, and Representatives Kobayashi and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 1053, HD1 and 742 had passed Third Reading at 12:21 o'clock p.m.

H.B. No. 1267, HD1 on Third Reading:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 1267, HD1 entitled: "A BILL FOR AN ACT RELATING

TO THE USE OF PUBLIC BUILDINGS BY BLIND OR VISUALLY HANDICAPPED PERSONS", having been read throughout, passed Third Reading by a vote of 48 ayes with Representatives Kobayashi, Sakamoto and Wong being excused.

H.B. No. 1871 on Third Reading:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 1871 entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading by a vote of 48 ayes with Representatives Kobayashi, Sakamoto and Wong being excused.

H.B. No. 920 on Third Reading:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 920 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES HEALTH FUND", having been read throughout, passed Third Reading by a vote of 48 ayes with Representatives Kobayashi, Sakamoto and Wong being excused.

The Chair directed the Clerk to note that H.B. Nos. 1267, HD1; 1871; and 920 had passed Third Reading at 12:22 o'clock p.m.

H.B. No. 925 on Third Reading:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 925 entitled: "A BILL FOR AN ACT AMENDING AN APPROPRIATION FOR KULA HOSPITAL MODERNIZATION AND RENOVATION TO CORRECT CODE DEFICIENCIES", having been read throughout, passed Third Reading by a vote of 48 ayes with Representatives Kobayashi, Sakamoto and Wong being excused.

H.B. No. 822 on Third Reading:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 822 entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF BREACH OR DEFAULT OF AGREEMENTS FOR USE OF STATE LAND", having been read throughout, passed Third Reading by a vote of 47 ayes to 1 no, with Representative Anderson voting no, and Representatives

Kobayashi, Sakamoto and Wong being excused.

H.B. No. 956, HD1 on Third Reading:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 956, HD1 entitled: "A BILL FOR AN ACT RELATING TO ELDERLY ABUSE OR NEGLECT", having been read throughout, passed Third Reading by a vote of 48 ayes, with Representatives Kobayashi, Sakamoto and Wong being excused.

The Chair directed the Clerk to note that H.B. Nos. 925; 822; and 956, HD1 had passed Third Reading at 12:23 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 413 to 423) and concurrent resolution (H.C.R. No. 177) were referred to the Committee on Legislative Management and further action was deferred.

A resolution (H.R. No. 413) requesting the Department of Social Services and Housing to study the safety needs of the visually handicapped and the deaf was jointly offered by Representatives Chun, Aki, Albano, Anderson, Baker, de Heer, Fukunaga, D. Hagino, Hirono, Honda, Ige, Isbell, Kobayashi, Lacy, Levin, Liu, Matsuura, Nakamura, Okamura, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan and Waihee.

A resolution (H.R. No. 414) requesting the Department of Social Services and Housing and the Department of Health to study and make recommendations for coordinating and improving home care services was jointly offered by Representatives Chun, Aki, Albano, Anderson, Baker, de Heer, Fukunaga, D. Hagino, Hirono, Honda, Ige, Isbell, Kobayashi, Lacy, Levin, Liu, Matsuura, Nakamura, Okamura, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan and Waihee.

A resolution (H.R. No. 415) requesting the Department of Health and the Department of Social Services and Housing to study the feasibility of establishing a drug plan for medicare-eligible persons was jointly offered by Representatives Chun, Aki, Albano, Anderson, Baker, Blair,

de Heer, Dods, Fukunaga, D. Hagino, Hirono, Honda, Ige, Isbell, Kihano, Kobayashi, Lacy, Levin, Liu, Matsuura, Medeiros, Nakamura, Okamura, Rohlfing, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan and Waihee.

A resolution (H.R. No. 416) requesting the Board of Social Services and the Board of Health to make recommendations on the full range of home care services and methods for coordinating these services was jointly offered by Representatives Chun, Aki, Albano, Anderson, Baker, de Heer, Dods, Fukunaga, D. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kunimura, Lacy, Levin, Liu, Matsuura, Medeiros, Nakamura, Okamura, Rohlfing, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

A resolution (H.R. No. 417) requesting the Attorney General's office to vigorously investigate and prosecute medicaid fraud cases was jointly offered by Representatives Chun, Aki, Albano, Anderson, Baker, Blair, de Heer, Dods, Fukunaga, D. Hagino, Hirono, Ige, Isbell, Kihano, Lacy, Levin, Liu, Matsuura, Medeiros, Nakamura, Okamura, Rohlfing, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan and Waihee.

A resolution (H.R. No. 418) requesting a progress report on the implementation of the long-term care channeling demonstration project was jointly offered by Representatives Chun, Aki, Albano, Anderson, Baker, Blair, de Heer, Dods, Fukunaga, D. Hagino, Hirono, Honda, Ige, Isbell, Kihano, Kiyabu, Kobayashi, Lacy, Levin, Liu, Matsuura, Nakamura, Okamura, Rohlfing, Say, Segawa, Shito, Takamine, Takitani, Toguchi, Tungpalan, Waihee and Wong.

A resolution (H.R. No. 419) requesting the appointment of an interim committee of the House of Representatives which shall make recommendations regarding the continued funding of private health and welfare agencies was jointly offered by Representatives Chun, Aki, Albano, Anderson, Baker, Blair, de Heer, Dods, Fukunaga, D. Hagino, Hirono, Honda, Ige, Isbell, Kihano, Kiyabu, Kobayashi, Lacy, Levin, Liu, Matsuura, Medeiros, Nakamura, Okamura, Rohlfing, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Wong.

A resolution (H.R. No. 420) requesting a review of substance abuse and its related problems was offered by Representative Segawa.

A resolution (H.R. No. 421) requesting to enact legislation, directing the IRS to assess agriculture lands, at productive value or fair market value, for estate tax purposes was jointly offered by Representatives Isbell, Albano, Chun, de Heer, Fukunaga, G. Hagino, Ige, Kiyabu, Levin, Liu, Matsuura, Monahan, Morioka, Narvaes, Sakamoto, Segawa, Takamine and Wong.

A resolution (H.R. No. 422) relating to a feasibility study for installation of telephone communications was jointly offered by Representatives Peters, Aki, Shito and Hashimoto.

A resolution (H.R. No. 423) requesting a comprehensive study of Chapter 88, Hawaii Revised Statutes, relating to the employees' retirement system of the State of Hawaii was jointly offered by Representatives Takitani and Tungpalan.

A concurrent resolution (H.C.R. No. 177) requesting the appointment of an interim committee of the House of Representatives and the Senate which shall make recommendations regarding the continued funding of private health and welfare agencies was jointly offered by Representatives Chun, Aki, Albano, Anderson, Baker, Blair, de Heer, Dods, Fukunaga, D. Hagino, Hirono, Honda, Ige, Isbell, Kihano, Kiyabu, Kobayashi, Lacy, Levin, Liu, Matsuura, Nakamura, Okamura, Rohlfing, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Wong.

THIRD READING

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

H.B. No. 506, HD1:

On motion by Representative Segawa, seconded by Representative Chun, H.B. No. 506, HD1 entitled: "A BILL FOR AN ACT RELATING TO COMMUNICABLE DISEASES", passed Third Reading by a vote of 49 ayes with Representatives Kobayashi and Sakamoto being excused.

H.B. No. 357:

On motion by Representative Takitani, seconded by Representative Tungpalan, H.B. No. 357 entitled: "A BILL FOR AN ACT RELATING TO NON-COMPETITIVE PROMOTIONS OF PUBLIC OFFICERS AND EMPLOYEES", passed Third Reading by a vote of 49 ayes with Representatives Kobayashi and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 506, HD1 and 357 had passed Third Reading at 12: 34 o'clock p.m.

H.B. No. 467:

On motion by Representative Fukunaga, seconded by Representative Okamura, H.B. No. 467 entitled: "A BILL FOR AN ACT RELATING TO THE FISH AND WILDLIFE ADVISORY COMMITTEES", passed Third Reading by a vote of 49 ayes with Representatives Kobayashi and Sakamoto being excused.

H.B. No. 852:

On motion by Representative D. Hagino, seconded by Representative Albano, H.B. No. 852 entitled: "A BILL FOR AN ACT RELATING TO WORKER'S COMPENSATION", passed Third Reading by a vote of 49 ayes with Representatives Kobayashi and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 467 and 852 had passed Third Reading at 12: 35 o'clock p.m.

H.B. No. 1007:

On motion by Representative Kunimura, seconded by Representative Kiyabu, H.B. No. 1007 entitled: "A BILL FOR AN ACT RELATING TO CLAIMS FOR LEGISLATIVE RELIEF", passed Third Reading by a vote of 49 ayes with Representatives Kobayashi and Sakamoto being excused.

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

H.B. No. 710:

By unanimous consent, H.B. No. 710 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

H.B. No. 711:

By unanimous consent, H.B. No. 711 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

H.B. No. 712:

By unanimous consent, H.B. No. 712 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

H.B. No. 713:

By unanimous consent, H.B. No. 713 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

H.B. No. 714:

By unanimous consent, H.B. No. 714 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

H.B. No. 715:

By unanimous consent, H.B. No. 715 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

H.B. No. 716:

By unanimous consent, H.B. No. 716 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

H.B. No. 717:

By unanimous consent, H.B. No. 717 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

H.B. No. 718:

By unanimous consent, H.B. No. 718 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS

FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

H.B. No. 719:

By unanimous consent, H.B. No. 719 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

H.B. No. 720:

By unanimous consent, H.B.

No. 720 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

ADJOURNMENT

At 12:37 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 10:00 o'clock a.m. tomorrow, Wednesday, March 18, 1981.

THIRTY-FIFTH DAY

Wednesday, March 18, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 10:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Warren Studer of Christ Church Kailua Uniting Disciples and Presbyterians, after which the Roll was called showing all members present with the exception of Representatives Blair, de Heer and Kihano, who were excused.

By unanimous consent, reading and approval of the Journal of the Thirty-Fourth Day was deferred.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 69) returning House Concurrent Resolution No. 79, HD 1, which was adopted by the Senate on March 17, 1981, in an amended form, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 79, HD 1, SD 1, was placed on the Clerk's desk.

At this time, Representative Dods introduced to the members of the House 107 sixth grade students from Hahaione School. They were accompanied by their teachers, Beverley Kamahale, Ellen Miyasato, Louise Castor and Mary Ellen Newman.

SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the rules were suspended for the purpose of considering a certain resolution.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 424) congratulating the Moanalua High School Menehunes for winning the 1981 Oahu Interscholastic Association Basketball Championship was jointly offered by Representatives Okamura, Waihee, Chun, Albano, Aki, Anderson, Andrews, Baker, Fukunaga, D. Hagino, G. Hagino, Hashimoto,

Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kiyabu, Lacy, Liu, Matsuura, Medeiros, Morioka, Nakamura, Nakasato, Narvaes, Rohlfing, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan and Yamada and was read by the Clerk.

On motion by Representative Okamura, seconded by Representative Waihee and carried, H.R. No. 424 was adopted.

Representative Okamura then proceeded to introduce the honorees, stating:

"Mr. Speaker and members of the House, I am truly honored today to introduce Mr. Eric Heu, head basketball coach of Moanalua High School, and Mr. Samuel Johnson, captain of the 1981 Moanalua High School basketball team.

I would also like to inform this body that Mr. Samuel Johnson was selected as a member of the Advertiser's All Tournament Basketball Team and the OIA Player of the Year. Mr. Samuel Johnson was the leading scorer in the tournament with a total of 91 points.

Coach Eric Heu has also been named OIA Coach of the Year.

Mr. Speaker, Moanalua High School opened in 1972. At that time, the school had only a freshmen class and a junior varsity basketball team. Although Moanalua's basketball team has a very short history, they have already won the district championship three years in a row and this year, Mr. Speaker, Moanalua High School went on to win the OIA basketball championship. This, I think, is a remarkable accomplishment since Moanalua High School does not have its own gym and rather than being called the Moanalua 'Menehunes', they are often named the 'Vagabonds' because they do not have their own gym and have been practicing wherever it's been available, from Kaimuki to Pearl City.

I am pleased to present before this honorable body, these two gentlemen in honor of the accomplishment and recognition earned by the hard work and dedication of Coach Heu; Athletic Director, Henry Kibota; and members of the Moanalua High School basketball team."

Representatives Chun and Tungpalan then presented red carnation leis to the honorees, and Representatives Waihee and Albano presented them with certified copies of the resolution.

Representative Narvaes then rose and stated:

"Mr. Speaker, a few years back, I played some basketball with Sam when he was much younger and I must say that I was starting off and he put me on the bench at a young age. He was playing with the older men and he more than held his own and Sam Johnson here is the best basketball player in the State; he wants to stay at home and play for the University of Hawaii; and he would be a tremendous addition and, hopefully, the University of Hawaii will pick him up.

Sam, good luck."

At 10:20 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 the honorees."

Upon reconvening at 10:33 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Blair, de Heer and Kihano.

At this time, Representative Albano was permitted to make a late introduction and he introduced Dr. and Mrs. Alfonso Aliga, "a very close friend of my family from the mainland and they are visiting the State of Hawaii."

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
28	Committee on Judiciary
79	Committee on Consumer Protection and Commerce
271	Jointly to the Committees on Tourism and Consumer Protection and Commerce
330	Committee on Public Employment and Government Operations, then to the Committee on Finance
448	Committee on Finance
466	Committee on Finance
562	Jointly to the Committees on Public Employment and Government Operations and Transportation
593	Committee on Consumer Protection and Commerce
659	Committee on Consumer

Protection and Commerce

981	Committee on Judiciary, then to the Committee on Finance
1203	Committee on Judiciary
1533	Committee on Judiciary
1730	Jointly to the Committees on Public Assistance and Human Services and Health, then to the Committee on Finance

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 358 to 362, 370 and 371, 373 to 381, 387 to 393 and 398 to 403) and concurrent resolutions (H.C.R. Nos. 167 to 176) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
358	Jointly to the Committees on Education and Public Employment and Government Operations, then to the Committee on Finance
359	Committee on Consumer Protection and Commerce, then to the Committee on Finance
360	Jointly to the Committees on Ocean and Marine Resources and Energy, Ecology and Environmental Protection
361	Committee on Public Assistance and Human Services
362	Committee on Tourism, then to the Committee on Finance
370	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
371	Committee on Public Employment and Government Operations, then to the Committee on Finance
373	Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
374	Committee on Corrections and Rehabilitation, then to the Committee on Finance
375	Committee on Energy, Ecology and Environmental Protection, then to the Committee on Legislative Management
376	Committee on Consumer Protection and Commerce
377	Committee on Water, Land Use, Development and Hawaiian Affairs

- 378 Jointly to the Committees on Transportation and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 379 Jointly to the Committees on Transportation and Tourism, then to the Committee on Finance
- 380 Committee on Transportation, then to the Committee on Legislative Management
- 381 Committee on Health, then to the Committee on Legislative Management
- 387 Jointly to the Committees on Housing and Consumer Protection and Commerce, then to the Committee on Legislative Management
- 388 Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 389 Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
- 390 Jointly to the Committees on Housing and Youth and Elderly Affairs, then to the Committee on Finance
- 391 Jointly to the Committees on Housing and Youth and Elderly Affairs, then to the Committee on Finance
- 392 Committee on Youth and Elderly Affairs, then to the Committee on Finance
- 393 Committee on Tourism, then to the Committee on Legislative Management
- 398 Committee on Tourism, then to the Committee on Finance
- 399 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 400 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture
- 401 Committee on Transportation, then to the Committee on Finance
- 402 Committee on Agriculture, then to the Committee on Legislative Management
- 403 Committee on Agriculture

H.C.R. Nos.

- 167 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 168 Jointly to the Committees on Education and Public Employment and Government Operations, then to the Committee on Finance
- 169 Committee on Ocean and Marine Resources, then to the Committee on Energy, Ecology and Environmental Protection
- 170 Committee on Energy, Ecology and Environmental Protection, then to the Committee on Legislative Management
- 171 Committee on Water, Land Use, Development and Hawaiian Affairs
- 172 Committee on Health, then to the Committee on Legislative Management
- 173 Committee on Judiciary, then to the Committee on Legislative Management
- 174 Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
- 175 Committee on Tourism, then to the Committee on Finance
- 176 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture

COMMITTEE REASSIGNMENT

H.C.R. No. 169 was re-referred jointly to the Committees on Ocean and Marine Resources and Energy, Ecology and Environmental Protection.

SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Rohlfing 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. 616 on H.B. No. 739, HD 2:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee

was adopted and H.B. No. 739, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 626 on H.B. No. 266, HD 1:

Representative Nakamura requested that action be deferred to the end of the calendar and the Chair, noting that there were no objections, so ordered.

Stand. Com. Rep. No. 633 on H.B. No. 1124, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF THE HAWAII CRIMINAL JUSTICE DATA CENTER FROM THE JUDICIARY TO THE DEPARTMENT OF THE ATTORNEY GENERAL", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 634 on H.B. No. 709, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 709, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 739, 1124 and 709 had passed Third Reading at 10:35 o'clock a.m.

At 10:36 o'clock a.m., Representative Stanley asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:37 o'clock a.m.

Stand. Com. Rep. No. 649 on H.B. No. 1636, HD 2:

Representative Kunimura requested that action be deferred to the end of the calendar and the Chair, noting that there were no objections, so ordered.

Stand. Com. Rep. No. 650 on H.B.

No. 726, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 726, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 726 had passed Third Reading at 10:37 o'clock a.m.

Stand. Com. Rep. No. 651 on H.B. No. 1724, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 1724, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Narvaez then rose and stated:

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

Mr. Speaker, earlier this session, there was an article that appeared in the paper that talked about a \$46 million crisis in the State's retirement system, and this crisis was brought to light basically because of a practice we have been following for many years of reducing the State's contribution to the retirement system by earnings that is earned by the retirement system's investments. And, over the past five years, that reduction in the State contributions has been \$162 million and that \$162 million is money that we are going to have to put back in the funds someday, and that is one of my concerns.

Another problem with the bill is that we are not looking seriously enough at changing it the way the actuary has been asking for us to make changes to it all these years. And if I may quote the actuary in some of the things he says that we are having problems with in the retirement system is that, 'presently, we are having great fluctuations in employer costs because of the effects of reducing employer contributions by investment earnings.' Another thing is that there is a double reduction in employer contributions, and the fourth thing is that we are going to see higher future retirement costs for the state and counties, and these are matters that I think we have to seriously look at in the future.

Aside from those large reservations I have, I would urge all members to

vote 'aye'."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1724, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1724 had passed Third Reading at 10:39 o'clock a.m.

Stand. Com. Rep. No. 652 on H.B. No. 1357, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 659 on H.B. No. 1873, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1873, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 660 on H.B. No. 1876, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1876, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GASOHOL", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1357, 1873 and 1876 had passed Third Reading at 10:40 o'clock a.m.

Stand. Com. Rep. No. 661 on H.B. No. 41, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 41, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Stanley then rose and asked for a ruling on a possible conflict, stating that her husband is the current director of the federally-funded program that is mentioned in the bill.

The Chair ruled "no conflict."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 41, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 41 had passed Third Reading at 10:41 o'clock a.m.

Stand. Com. Rep. No. 662 on H.B. No. 793, HD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 793, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Liu then rose and stated:

"Mr. Speaker, I would like to express my displeasure with this measure here before us.

I am generally opposed to attempts to amend the obsolete, unworkable, or ineffective--it usually leads to more costs to our already costly mistakes. I think this bill supports this maxim for here we have an attempt to fix an agency that has never functioned up to par since its inception and the supposed cure before us will cost us more in the form of a new position.

The Intake Service Center is supposed to aid in screening alleged and convicted criminals for the purpose of determining the best position for these individuals, either before trial or before sentencing.

On January 23rd of this year, the Intake Service Center admitted to one of your committees, Mr. Speaker, to having a lack of staff and to be unclear of its so-called mandates under the laws of this State. Generally, its agency's representatives appear to be hardworking and committed, but we are not getting the job done in large part because the Administration, the Judiciary, and the Legislature, have never given the ISC its full support. This is epitomized by the ISC's admission in its testimony that though this office is 'mandated to provide all assessment services including pre-sentence investigations, the appropriate transfer of measures of resources

from the Judiciary to the ISC can never be accomplished.'

Mr. Speaker, if this primary function of the ISC can never become accomplished by its own admission, if in over four years some functional relationship has not been able to be created with the Judiciary here, why do we continue to pump into this program over a million dollars, and with this bill, a few thousand more which is a few thousand more too much.

Mr. Speaker, this bill will only aid in continuing a very costly charade.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 793, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS", passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Anderson, Kamali'i, Lacy, Liu, Monahan, Narvaes and Rohlfing voting no.

The Chair directed the Clerk to note that H.B. No. 793 had passed Third Reading at 10:43 o'clock a.m.

Stand. Com. Rep. No. 663 on H.B. No. 792, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 792, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Baker and Ikeda being excused.

Stand. Com. Rep. No. 664 on H.B. No. 695, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 695, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENTS FOR SICK LEAVE", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 792 and 695 had passed Third Reading at 10:44 o'clock a.m.

Stand. Com. Rep. No. 667 on H.B.

No. 821, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 821, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE VEHICLE REGISTRATION FEE AND WEIGHT TAX", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 668 on H.B. No. 538, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 538, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Ige then rose and requested that his speech, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, so ordered.

The following speech by Representative Ige is hereby inserted:

"Mr. Speaker, I rise in support of House Bill 538, HD 1, legislation which would authorize the issuance of special purpose revenue bonds to secure long-term mortgage refinancing for the Pohai Nani Good Samaritan Kauhale Health Care Facility.

Pohai Nani is a retirement facility located in Kaneohe and has been in operation for 17 years, providing residential and nursing care to our elderly here in Hawaii. Its original owner, Pacific Homes Corporation of Los Angeles, declared bankruptcy in 1977. Financial problems caused by the marketing of pre-paid life care contracts in its California retirement homes and unanticipated inflation were major factors contributing to its bankruptcy.

In 1979, the City and County of Honolulu committed itself to use \$4 million in block grant development monies with the possibility of additional HUD financing for the establishment of a non-profit organization to purchase the Pohai Nani facility. Efforts by Pohai Nani residents to establish such an organization failed to materialize because of the lack of HUD approval.

Good Samaritan Society is a non-profit corporation and is considered to be the largest health care corporation in the United States. It currently operates about 200 facilities across the country. In addition to the Pohai Nani facility, Good Samaritan Society also operates a second facility in Hawaii--the Laniolu Good Samaritan Center on Lewers Street

in Waikiki. Although the Good Samaritan Society is a mainland-based organization, it gives the Hawaiian facilities (as it does with all of its facilities) complete independence of operations. All operating revenues generated by the local facilities are retained for operation costs and expenditures.

If long-term refinancing cannot be made available to the Good Samaritan Society, rents at Pohai Nani could be raised by \$300. To say 'yes' on this bill would be to insure that 176 residents at Pohai Nani (176 would otherwise be forced to move out), would be able to remain as residents. With the increase, only 24 out of 200 residents now living at Pohai Nani would be able to remain at the facility. All of these people are people with fixed incomes.

Among those who would be forced out are people who have lived in the islands longer than many of us here in the Legislature. They have been our school teachers, workers on the plantations, and the nurses in our hospitals. They have lived and worked in Hana and Lahaina on Maui; in Kapaa on Kauai; in Waialua, Kailua, Honolulu, Pearl Harbor, and Kaimuki on Oahu; and in Kohala and Hilo on the Big Island. They have volunteered as girl or boy scout leaders, as foster parents, and in our hospitals and schools.

It is hoped that the bonds would be issued at the interest rate of none to eleven percent which would be considerably easier to handle financially by the organization than its efforts to pay off their interim financing at 20-1/2 percent interest.

What is important for all of us to consider here is that should we decide to pass H.B. 538, HD 1 -- it will be to say that the State of Hawaii recognizes the needs of the elderly, that we recognize their contributions to our Hawaiian society in making this State what it is today. Our accomplishments and our achievements were made possible, in a large part, to their struggle and their efforts during the late 1800s and early 1900s.

There is a need which exists in our State for retirement and health care facilities which would meet the needs of our elderly community. As money becomes scarce, we must give this group our attention. Pohai Nani is a home for the aged who need access to a health care facility and who must have affordable housing. This group is trying to remain indepen-

dent. We have the opportunity to help them, at no cost to our State. I think it is important that we do not miss our chance. Pohai Nani, for a number of years, has been operating as a complete residential and health care facility and has demonstrated that they can be successful in practice.

As you all know, Hawaii is a special place, where the extended family is strong and firm and not a thing of the past. We continue to care for and support our elderly, and, here in Hawaii, they are treated with respect and dignity. I know our tradition will continue.

With the Legislature's help, Pohai Nani can continue to operate, serving a purpose and filling a need in our island community. I urge your support and passage of this bill.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 538, HD 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO SECURE LONGTERM MORTGAGE REFINANCING FOR THE POHAI NANI GOOD SAMARITAN KAUAHALE HEALTH CARE FACILITY", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Baker voting no.

Stand. Com. Rep. No. 669 on H.B. No. 564, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 564, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REFUND OF VEHICULAR WEIGHT TAX FOR STOLEN VEHICLES", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 821, 538 and 564 had passed Third Reading at 10:45 o'clock a.m.

Stand. Com. Rep. No. 670 on H.B. No. 329, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 329, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES EXCLUDED OR EXEMPT FROM COLLECTIVE BARGAINING", having been read throughout, passed Third Reading by a vote of 51

ayes.

The Chair directed the Clerk to note that H.B. No. 329 had passed Third Reading at 10:46 o'clock a.m.

Stand. Com. Rep. No. 671 on H.B. No. 482, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 482, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Rohlfling then rose and requested that action be deferred to the end of the calendar whereupon a recess was called at 10:46 o'clock a.m., subject to the call of the Chair.

The House of Representatives reconvened at 10:48 o'clock a.m.

Representative Ikeda then rose and requested that her remarks, against the bill, be inserted into the Journal and the Chair, noting that there were no objections, so ordered.

The following is Representative Ikeda's remarks:

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

Mr. Speaker, consistency is an essential element of fairness--whether harsh or lenient in the application of our laws, our assumption is, or should be, that each citizen is treated the same. This principle is most conspicuous in our courts, but should inform all of our governmental actions.

Thus, when there are exceptions or exemptions to our laws, we risk violating the underlying sense of justice required by the 14th amendment of the Federal Constitution. This risk is also present in our tax laws. And I find this bill unfair.

The continuing erosion of the applicability of the 4 percent excise tax cannot be defended on the grounds of providing economic incentives or giving some form of encouragement to those we approve of in the course of their business. Instead, we should recognize that if hardships are created or fostered by such taxation that either it should be amended or repealed to provide relief for all. Otherwise, Mr. Speaker, the burden should also be borne equally.

I can appreciate, therefore, that

those who pay the excise tax on fertilizers and plant nutrients may have a very good case for wanting the relief provided by this measure, but I find this special exemption a basic violation of general principle.

The dollar limitation in the bill is ambiguous. The original bill appears to limit the wholesale tax rate to the first \$1,000 of gross income or proceeds from sales to each producer.

House Draft 1, however, allows only producers with certain incomes to benefit, and since the amount of annual income may not be known until late in the year, there is no certainty at the time the sale is made whether the producer will ultimately have to pay the retail or wholesale tax rate.

Also, Mr. Speaker, for these reasons, I ask my colleagues to vote 'no' on this measure.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 482, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX ON FERTILIZERS AND PLANT NUTRIENTS", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Ikeda voting no.

The Chair directed the Clerk to note that H.B. No. 482 had passed Third Reading at 10:49 o'clock a.m.

Stand. Com. Rep. No. 672 on H.B. No. 1770, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1770, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES RECOVERY FUND LAW", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Dods voting no.

Stand. Com. Rep. No. 682 on H.B. No. 125, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 125, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MANUFACTURING ENTERPRISES", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Baker voting no.

Stand. Com. Rep. No. 683 on H.B. No. 126, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 126, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCESSING ENTERPRISES", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Baker voting no.

The Chair directed the Clerk to note that H.B. Nos. 1770, 125 and 126 had passed Third Reading at 10:50 o'clock a.m.

Stand. Com. Rep. No. 684 on H.B. No. 127, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 127, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

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

"Mr. Speaker, I am in favor of this bill because of its underlying concept because I am in favor of the general idea of special purpose revenue bonds for those areas enumerated by the Constitution -- health care facilities, low and moderate income housing, utilities, and manufacturing/processing, and as embodied in this bill, industrial enterprises.

But, in approving this measure, I hope that this and future legislatures will not see the future role of legislators in the special purpose revenue bond review process as merely being perfunctory. It is my hope that as individual projects come before us for authorization's approval, that we will be allowed, individually, to define within reasons the perimeters of our questions and to the worthiness of public interests and as to the general worthiness of the individual project. We should feel free to question those who would wish to gain this benefit of lower than normal financing cost as little or as much as we deem necessary to make informed decisions. Let not questions of social, environmental, legal, political or economical impact of certain projects be dismissed as irrelevant if we believe that such questions are relevant. Let us not be loath into a belief that special purpose revenue bonds will be only used to take the place of financing that an enterprise will gain anyway

on the regular bond market because, in truth, this area of high finance costs, whether or not an enterprise is able to acquire a special purpose revenue bond, may indeed be crucial to new or continuing development of that enterprise.

The framers of the Constitution were purposefully general in this question of review so as, I believe, to give legislators the opportunity to individually define what lies in the public's interest.

In Committee of the Whole Report No. 14 of the Constitutional Convention, it was stated that 'there was concern by your committee that such bonds be authorized only after careful scrutiny.' I am sure that we will not forget these words.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 127, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL ENTERPRISES", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Baker voting no.

Stand. Com. Rep. No. 685 on H.B. No. 128, HD 3:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 128, HD 3, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hirono voting no.

Stand. Com. Rep. No. 686 on H.B. No. 1048, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1048, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hirono voting no.

The Chair directed the Clerk to note that H.B. Nos. 127, 128 and 1048 had passed Third Reading at 10:55 o'clock a.m.

At 10:56 o'clock a.m., Representative

Rohlfing asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:13 o'clock a.m.

Stand. Com. Rep. No. 687 on H.B. No. 728, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 728, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 728 had passed Third Reading at 11:13 o'clock a.m.

Stand. Com. Rep. No. 688 on H.B. No. 765, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, Stand. Com. Rep. No. 688 and H.B. No. 765, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", were recommitted to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 432 to 435) and concurrent resolution (H.C.R. No. 182) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 432) honoring and congratulating Dr. Mary Kawena Pukui for her contributions to Hawaiian life and literature and her nomination for the Nobel Prize for Literature was jointly offered by Representatives Anderson, Kamali'i, Andrews, Baker, Chun, Dods, Fukunaga, D. Hagino, G. Hagino, Honda, Ige, Ikeda, Kobayashi, Lacy, Levin, Liu, Marumoto, Morioka, Narvaes, Rohlfing, Sakamoto, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi and Wong.

On motion by Representative Anderson, seconded by Representative Kamali'i and carried, H.R. No. 432 was adopted.

A resolution (H.R. No. 433) expressing condolences to the family of the late Takaichi Miyamoto was jointly offered by Representatives Say, Morioka, Aki, Albano, Andrews, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino,

G. Hagino, Hashimoto, Honda, Ige, Kihano, Kiyabu, Kunimura, Matsuura, Monahan, Sakamoto, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Yamada.

On motion by Representative Say, seconded by Representative Morioka and carried, H.R. No. 433 was adopted.

A resolution (H.R. No. 434) recognizing and congratulating Bryson Kuwahara for being selected the "Star Young Farmer of the Year for 1980" was jointly offered by Representatives Matsuura, Takamine, Levin, Segawa, Isbell, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Kawakami, Liu, Marumoto, Monahan, Morioka, Nakamura, Nakasato, Rohlfing, Sakamoto, Shito, Takitani, Taniguchi, Toguchi, Wong and Yamada.

On motion by Representative Matsuura, seconded by Representative Takamine and carried, H.R. No. 434 was adopted.

A resolution (H.R. No. 435) recognizing and congratulating Alan A. Kuwahara for being selected the "Outstanding Young Farmer of 1980" was jointly offered by Representatives Matsuura, Takamine, Levin, Segawa, Isbell, Aki, Albano, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Kawakami, Kihano, Liu, Marumoto, Monahan, Morioka, Nakamura, Nakasato, Rohlfing, Sakamoto, Shito, Takitani, Taniguchi, Toguchi, Wong and Yamada.

On motion by Representative Matsuura, seconded by Representative Takamine and carried, H.R. No. 435 was adopted.

A concurrent resolution (H.C.R. No. 182) commemorating National Wildlife Week 1981 and commending the organizations which worked to promote activities celebrating National Wildlife Week and Hawaii Wildlife Week was jointly offered by Representatives Baker, Matsuura, Aki, Anderson, Blair, Chun, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Honda, Ige, Ikeda, Isbell, Kamali'i, Kiyabu, Lacy, Marumoto, Medeiros, Monahan, Narvaes, Okamura, Rohlfing, Segawa, Takamine, Takitani, Taniguchi, Toguchi and Tungpalan.

On motion by Representative Baker, seconded by Representative Matsuura and carried, H.C.R. No. 182 was adopted.

At 11:16 o'clock a.m., Representative Sakamoto asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:20 o'clock a.m.

By unanimous consent, the following resolutions (H.R. Nos. 425 to 431) and concurrent resolutions (H.C.R. Nos. 178 to 181) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 425) respectfully requesting the President of the United States of America to appoint the nine members of the Native Hawaiian Study Commission and to call their first meeting for the purposes of fulfilling the mandates of P.L. 96-565 was jointly offered by Representatives Kamali'i, Sakamoto, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Lacy, Levin, Liu, Marumoto, Medeiros, Morioka, Nakamura, Narvaes, Rohlfling, Segawa, Shito, Takamine, Taniguchi, Tungpalan, Waihee, Wong and Peters.

A resolution (H.R. No. 426) requesting a study to determine the extent to which Hawaii's adult community schools and colleges successfully prepare adults for gainful employment was jointly offered by Representatives Toguchi, Say, Aki, de Heer, D. Hagino, Ige, Isbell, Matsuura, Monahan, Sakamoto, Segawa, Takamine and Takitani.

A resolution (H.R. No. 427) requesting a reduction in paperwork was jointly offered by Representatives Toguchi, Say, Aki, de Heer, D. Hagino, Ige, Isbell, Matsuura, Monahan, Sakamoto, Segawa, Takamine and Takitani.

A resolution (H.R. No. 428) requesting a relocation plan for Department of Education rental offices was jointly offered by Representatives Toguchi, Say, Aki, de Heer, G. Hagino, Ige, Isbell, Kunimura, Matsuura, Morioka, Sakamoto, Segawa, Takamine, Takitani and Tungpalan.

A resolution (H.R. No. 429) requesting a report by the City and County of Honolulu on the Huna Street and Nuuanu Park Place controversy was jointly offered by Representatives Blair and Stanley.

A resolution (H.R. No. 430) urging the Governor to proclaim May 24-30, 1981 as Community Education Week was offered by Representatives Toguchi, Say, Aki, de Heer, D. Hagino, Ige, Isbell, Matsuura, Monahan,

Sakamoto, Segawa, Takamine and Takitani.

A resolution (H.R. No. 431) recognizing Public Schools Week and asking the people of Hawaii to support their schools was jointly offered by Representatives Toguchi, Say, Aki, de Heer, D. Hagino, Ige, Isbell, Matsuura, Monahan, Sakamoto, Segawa, Takamine and Takitani.

A concurrent resolution (H.C.R. No. 178) respectfully requesting the President of the United States of America to appoint the nine members of the Native Hawaiian Study Commission and to call their first meeting for the purposes of fulfilling the mandates of P.L. 96-565 was jointly offered by Representatives Kamali'i, Sakamoto, Blair, Chun, de Heer, Dods, G. Hagino, Hirono, Ige, Isbell, Kawakami, Kihano, Liu, Morioka, Tungpalan and Peters.

A concurrent resolution (H.C.R. No. 179) requesting a report by the City and County of Honolulu on the Huna Street and Nuuanu Park Place controversy was jointly offered by Representatives Blair and Stanley.

A concurrent resolution (H.C.R. No. 180) requesting a study to determine the extent to which Hawaii's adult community schools and colleges successfully prepare adults for gainful employment was jointly offered by Representatives Toguchi, Say, Aki, de Heer, D. Hagino, Ige, Isbell, Matsuura, Monahan, Sakamoto, Segawa, Takamine and Takitani.

A concurrent resolution (H.C.R. No. 181) urging the Governor to proclaim May 24-30, 1981 as Community Education Week was jointly offered by Representatives Toguchi, Say, Aki, de Heer, D. Hagino, Ige, Isbell, Matsuura, Monahan, Sakamoto, Segawa, Takamine and Takitani.

THIRD READING

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

H.B. No. 1025, HD 1:

Representative Nakamura moved that H.B. No. 1025, HD 1, having been read throughout, pass Third Reading, seconded by Representative Taniguchi.

Representative Medeiros then rose to speak in favor of H.B. No. 1025, HD 1, stating:

"Mr. Speaker, this bill will close loopholes that exist in our State today. The loopholes, by the way, is when

a parolee is out, he can commit a crime today and still afford himself a bail so that he could continue to be on our streets at this time. This bill here, if passed and becomes law, will prevent the parolee from having any bail afforded to him.

I urge everyone to vote 'aye' on this bill."

The motion was put by the Chair and carried, and H.B. No. 1025, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1025 had passed Third Reading at 11:22 o'clock a.m.

H.B. No. 206, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 206, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 206 had passed Third Reading at 11:23 o'clock a.m.

H.B. No. 1337, HD 1:

Representative Nakamura moved that H.B. No. 1337, HD 1, having been read throughout, pass Third Reading, seconded by Representative Taniguchi.

At 11:23 o'clock a.m., Representative Yamada asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:26 o'clock a.m.

The motion was put by the Chair and carried, and H.B. No. 1337, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1337 had passed Third Reading at 11:27 o'clock a.m.

H.B. No. 1310, HD 1:

Representative Nakamura requested that action be deferred to the end of the calendar and the Chair, noting

that there were no objections, so ordered.

H.B. No. 1176, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 1176, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS", passed Third Reading by a vote of 51 ayes.

H.B. No. 1745, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 1745, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESISTING AN ORDER TO STOP A MOTOR VEHICLE", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1176 and 1745 had passed Third Reading at 11:28 o'clock a.m.

H.B. No. 773, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 773, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Segawa voting no.

H.B. No. 736, HD 1:

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, H.B. No. 736, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING", passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Anderson, Dods, Kamali'i and Medeiros voting no.

The Chair directed the Clerk to note that H.B. Nos. 773 and 736 had passed Third Reading at 11:29 o'clock a.m.

H.B. No. 1292, HD 1:

Representative Blair moved that H.B. No. 1292, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hirono.

Representative Medeiros then rose and asked for a ruling on a possible conflict, stating that he is a landlord.

The Chair ruled "no conflict."

The motion was put by the Chair and

carried, and H.B. No. 1292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE", passed Third Reading by a vote of 45 ayes to 6 noes, with Representatives Anderson, Ikeda, Lacy, Liu, Medeiros and Rohlfing voting no.

The Chair directed the Clerk to note that H.B. No. 1292 had passed Third Reading at 11:30 o'clock a.m.

H.B. No. 1523, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 1523, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1523 had passed Third Reading at 11:31 o'clock a.m.

H.B. No. 1924, HD 1:

Representative Nakamura moved that H.B. No. 1924, HD 1, having been read throughout, pass Third Reading, seconded by Representative Taniguchi.

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

"Mr. Speaker, this original bill had intended to allow the destruction of medical records after ten years and while the number of years may be arbitrary, ten years may be too short a time. This bill has been changed so that medical records must be retained for an indefinite time.

Mr. Speaker, while there are good intentions in trying to keep medical records for an indefinite time, I believe there are certain impractical things to consider. For instance, Mr. Speaker, many patients may go to a doctor for a very minor matter such as a sprained thumb, a minor cold, and may not go back to the doctor for ten years or even more. For that matter, many doctors may pass away themselves, others may retire, and so forth, so that these records would have to be kept by these doctors in its original form or in microfilm.

Mr. Speaker, in reviewing the testimonies in committee, I note that most of the people who testified were people who are interested in research. I grant you that there is a need for old records for certain research matters. As one testifier indicated that they use only

two percent of the old records. I don't know where or when he got these figures and to what numbers of patients that we are talking about two percent.

But, Mr. Speaker, the Legislature has been concerned with the high cost of health care, and health care is one of the fastest rising cost to our people. I believe that there is possibly a happy medium, or even a number of years, that we could designate, or even what kinds of records, or even maybe records that hospitals having to be kept for more than a number of years. But the way this bill has come out, Mr. Speaker, it does not have the total input of doctors, of hospitals, and I believe that there is much to be desired in this bill.

Therefore, on this basis, I urge all members of this honorable body to vote 'no' and recommit this bill."

The motion was put by the Chair and carried, and H.B. No. 1924, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AVAILABILITY OF MEDICAL RECORDS", passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Ige, Matsuura and Segawa voting no.

H.B. No. 207, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 207, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS", passed Third Reading by a vote of 51 ayes.

H.B. No. 1550, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 1550, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND OTHER AFFIRMATIVE DEFENSES", passed Third Reading by a vote of 51 ayes.

H.B. No. 567, HD 1:

On motion by Representative Nakamura, seconded by Representative Stanley and carried, H.B. No. 567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Taniguchi voting no.

H.B. No. 169, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 169, HD 1, entitled:

"A BILL FOR AN ACT RELATING TO WILD CATTLE AND FEROCIOUS ANIMALS", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

The Chair directed the Clerk to note that H.B. Nos. 567 and 169 had passed Third Reading at 11:36 o'clock a.m.

H.B. No. 989, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 989, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION", passed Third Reading by a vote of 51 ayes.

H.B. No. 663, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 663, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 989 and 663 had passed Third Reading at 11:37 o'clock a.m.

H.B. No. 331, HD 1:

Representative Kunimura requested that action be deferred to the end of the calendar and the Chair, noting that there were no objections, so ordered.

H.B. No. 1406, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 1406, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL COST RECOVERY", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1406 had passed Third Reading at 11:38 o'clock a.m.

At 11:38 o'clock a.m., Representative Kunimura asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:44 o'clock a.m.

H.B. No. 1208, HD 1:

Representative Kunimura requested

that action be deferred to the end of the calendar and the Chair, noting that there were no objections, so ordered.

H.B. No. 749, HD 2:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 749, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 749 had passed Third Reading at 11:45 o'clock a.m.

At 11:46 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:55 o'clock p.m.

DEFERRED RESOLUTIONS

At this time, the Chair referred H.R. No. 425 and H.C.R. No. 178 as follows:

H.R. No. 425 was referred to the Committee on Water, Land Use, Development and Hawaiian Affairs only.

H.C.R. No. 178 was referred to the Committee on Water, Land Use, Development and Hawaiian Affairs only.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 649 on H.B. No. 1636, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the majority of the Committee was adopted and H.B. No. 1636, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUS CONTRACTS", having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Baker and Levin voting no.

Stand. Com. Rep. No. 689 on H.B. No. 808, HD 2:

Representative Kunimura requested that action be deferred to the end of the calendar and the Chair, noting that there were no objections, so ordered.

Stand. Com. Rep. No. 690 on H.B. No. 1470, HD 2:

Representative Kunimura requested that action be deferred to the end of

the calendar and the Chair, noting that there were no objections, so ordered.

Stand. Com. Rep. No. 693 on H.B. No. 32, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 32, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB-SHARING PILOT PROJECT IN THE DEPARTMENT OF EDUCATION", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 32 had passed Third Reading at 12:56 o'clock p.m.

Stand. Com. Rep. No. 694 on H.B. No. 38, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 38, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 695 on H.B. No. 438, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 438, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 38 and 438 had passed Third Reading at 12:57 o'clock p.m.

Stand. Com. Rep. No. 696 on H.B. No. 440, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 440, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE TAX CREDIT", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 697 on H.B. No. 722, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 722, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAJOR DISASTOR FUND", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 440 and 722 had passed Third Reading at 12:58 o'clock p.m.

Stand. Com. Rep. No. 698 on H.B. No. 1716, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1716, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1716 had passed Third Reading at 12:59 o'clock p.m.

Stand. Com. Rep. No. 699 on H.B. No. 1437, HD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 1437, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Ikeda then rose to speak against H.B. No. 1437, HD 1, stating:

"Mr. Speaker, consistency is an essential element of fairness--whether harsh or lenient in the application of our laws, our assumption is, or should be, that each citizen is treated the same. This principle is most conspicuous in our courts, but should inform all of our governmental actions.

Thus, when there are exceptions or exemptions to our laws, we risk violating the underlying sense of justice required by the 14th amendment of the Federal Constitution. This risk is also present in our tax laws. And I find this bill unfair.

The continued erosion of the applicability of the 4 percent excise tax cannot be defended on the grounds of providing

economic incentives or giving some for of encouragement to those we approve of in the course of their business. Instead, we should recognize that if hardships are created or fostered by such taxation that either it should be amended or repealed to provide relief for all. Otherwise, Mr. Speaker, the burden should also be borne equally.

I find this special exemption a basic violation of general principle and I, therefore, ask all of you to vote 'no' on this measure."

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

"Mr. Speaker, if we were to take the statement made by the previous speaker in its totality, it would seem right, and she is correct. But if we should take the State's interest and the State's stated policy for economic development and attracting new businesses into this State, and especially non-polluting industry, providing job opportunities to many, many people, providing economic action in the purchasing of goods and services thereby creating additional revenues for the State. Mr. Speaker, historically, we have gone on record for many, many years -- the Islander baseball team was given a tax break, Primo Beer, Hawaii Five-O, and many others, and I feel that this is a tool that we lawmakers have to try and attract, because Hawaii is a very unattractive place for new businesses because of distance, the high cost of taxes, land, high cost of labor, and this is only one of the few ways, except for beautiful climatic conditions, beautiful people, but otherwise, it's almost detrimental for any new businesses to come in, and this is why, Mr. Speaker, the Committee on Finance decided to report this bill out so that we can minimize the losses and try to help this company make the necessary turn-around and become a profitable corporation and thereby, maybe, bringing in their second ship.

I ask all members to vote in favor of this bill."

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

"Mr. Speaker, contract carriers by water represent a new industry on behalf of tourism. These carriers are engaged primarily in the business of transporting persons for tourism or sightseeing purposes within the State. These carriers, often with a gross weight of over 10,000 gross tons, serve a vital need in Hawaii's

economy. Let us not denigrate from this very viable source.

Yet, when a four percent gross income tax is levied on these contract carriers, there is a parallel adversity affecting sales and competition within the North American cruise companies. We must not discourage these cruise companies with the burden of a gross income tax as they initiate businesses in Hawaii. Let us all encourage them.

House Bill No. 1437, HD 1, acts as a stimulant, an encouragement, for it provides an exemption from the public service company tax laws for the first five years. After these companies have been established, at least for the first five years, they shall be stable enough to be a competitive source of enterprise within the democratic framework of our State, and they shall then be taxed the normal four percent on the gross income of the contract carrier.

Granted, tourism needs our support in so many areas, but we may be short-sighted in being too land-based. Has any of you ever taken a cruise between our islands? Has any of you been awed by the extreme beauty of this chain of islands from the perspective of a sea-going visitor? I am willing to claim that many visitors to Hawaii who are fortunate enough to take such a sea cruise between our islands remember our State much more than those who remain on land or traverse between islands via air routes. The spectacular nature of Hawaii is implanted in these sea-going visitors.

A tax exemption for five years is worth the profit to Hawaii's economy in the long run. Let us not take the short-sighted perspective.

Thank you."

Representative Anderson then rose and requested that Representative Say's remarks be entered into the Journal as his own and the Chair, noting that there were no objections, so ordered.

Representative Dods then rose to speak in favor of H.B. No. 1437, HD 1, stating:

"Mr. Speaker, the State spends millions of dollars each year trying to encourage new businesses to come and establish themselves over here. But, if someone comes over here and starts their own business and runs into problems, the State doesn't do anything to help them out, and I think this is one case where we have a new business that started by themselves, and the first boat of this type should provide our young people with the opportunity of working on the

high seas. I think the people from this House should have an opportunity to visit the ship and see the kinds of jobs and opportunities that it has provided for our young people.

If we are going to spend money attracting new businesses, I see nothing wrong with trying to help someone that's in trouble, and that is basically what this bill is doing, and I urge all the members to vote for it.

Thank you very much."

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

"Mr. Speaker, yesterday I rose to speak against the Finance Committee measure; today, I have the pleasure of speaking in favor of it.

I think the remarks of the previous speaker bring the issue clearly forward. I hope that one day in the near future, that not only will people get to see the islands by surface but also by air, but that's not the issue today. And, I can assure you that if they do see it by air, that we will not request the tax exemption.

I think we have to remember that while we are a water-based culture, and we are surrounded by water, and yet, when it comes to governmental policy, we sort of let ourselves down. This is a new industry; it will hire essentially local people and will provide the revenue that will be gained by having this industry thriving and vibrant, and it will more than compensate for the loss of revenue.

And the other aspect of this measure which I think is constructive is that this is only a temporary provision. Once these firms are firmly established that they will go back to operating businesses as everyone else must operate business.

But it is important that when we do see new industry, that we encourage them rather than discourage them, and I commend the Finance Committee for reporting this kind of measure out of committee and showing this kind of foresight.

Thank you."

Representative Ikeda, in rebuttal, stated:

"Mr. Speaker, there are no doubts in my mind that there are many industries that are worthy, many industries that we would like to attract, many

industries that we could consider under this same category and, maybe, we ought to.

The point remains, Mr. Speaker, that we created the general excise tax for a reason. If now we find that we should reassess and change our reason for having the general excise tax, then we should do so. But to continue to use this granting of exemptions from the excise tax for one reason or another doesn't have any rational basis in my mind, or any consistency, or any fairness to it. I think if we want to attract businesses, that we can look at establishing tax credits, perhaps as incentives, and make it applicable to all new businesses, not just to some."

Representative Kunimura then rose and stated:

"Though I support this measure, Mr. Speaker, I will be vehemently against a fixed tax relief for any new industry coming in for one reason. We have seen this all over the Caribbean; we have seen this in Puerto Rico, and many parts of the Caribbean, and many parts of the United States. If we do have a measure -- fixed tax break for any industry coming in -- then we cannot attract and select good industries.

Mr. Speaker, this particular business came over here, as Mr. Say stated, they came here voluntarily. They were willing to gamble with us -- take a chance in Hawaii, and they find themselves meeting little more problem than they anticipated, and they feel that within five years, or maybe earlier, they can make that turn.

Mr. Speaker, I was shocked to find out that the tourist who come and use the boat as a facility are people that have been going to the Caribbean, to the Mediterranean, and all over the world, because these are people that love to ride cruise ships. We have never been able to attract these people. Now, they fly over and then ride the boat and see the entire Hawaiian chain. These are new people and these are people that have a lot of money, and they don't clutter our highways, they don't clutter our beaches, they don't use our parks and our bathrooms. They live practically the entire one week on the ship, but they do, when they get off, and visit our many neighbor islands, spend a lot of money. This is the kind of new industry, the kind of industry that we should have thought about long ago, but these people came in, they took a chance, and I think it is decent for us in Hawaii to afford this for at least five years, to give them an

opportunity to make that necessary turn.

Thank you, Mr. Speaker."

Representative Rohlfling then rose and stated:

"Very briefly, Mr. Speaker, I speak in favor of the measure. I am aware of the concerns and sympathize with the point that Representative Ikeda had brought out. I do feel, though, that this is a unique situation and that there are some very considerable arguments, most of which have been presented on the floor in favor of the measure.

I would like to note that the message ought to go to some of our executive agencies, too, concerning this shipping activity but the Harbor Board of the Department of Transportation recently attempted to impose a three dollar tax on every passenger in each port of this State, and I think it is incumbent upon us to send the message to the executive agencies that it is not only the taxing power but it is the regulatory power and the fee power which is involved in some of these enterprises.

Thank you, Mr. Speaker."

Representative Dods, in rebuttal, stated:

"The Department of Transportation did not put up a taxing on the passengers. They had no taxing authority except what comes out of this Legislature. The fee that Representative Rohlfling is talking about has been deferred for a couple of years and they are well aware of the problem that this ship is facing, and they are willing to do all they can to make sure that this turns into a viable enterprise also."

Representative Ige then rose and stated:

"Mr. Speaker, I wish to say a few words in support of this measure. Mr. Speaker, I think I would be remiss if I were to sit here and not voice my concern about this bill. I sort of, last year. . .two years ago, fought this bill in the Finance Committee. I was not convinced that an industry such as this would look at our youth here in this State and hire them.

Fortunately, I was invited to go to a reception on this ship. I brought my wife and my daughter with me. I had to see for myself the kinds of individuals that worked there and

I must say that I was somewhat surprised to see three people that stood out in my mind to be very local and two of them came from the Waianae Coast -- one from Kamehameha Schools. And, I had a chance to speak to them about their experiences on the ship and how they felt about working there, and one individual made a comment that the greatest feeling he had was to express himself to a passenger on that ship on what he felt Hawaii was all about.

I think, Mr. Speaker, that as a legislator, we must always keep in mind industries that can, not only help our economy, but that would have an effect on the generations that will follow us. And, in this instance, Mr. Speaker, I believe that this bill would benefit that kind of industry.

Because of that, I would like to urge all members to seriously consider the passage of this measure.

Thank you."

Representative Rohlfling then rose and stated:

"Mr. Speaker, point of correction. I did not say that the Harbor Board imposed the tax but that they had proposed the tax. It did not go through, but my point was that it is very important that this not be an issue every five minutes."

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

"Mr. Speaker, I have to concur with the Chairman of the Finance Committee and his statements about how much revenue and all these kinds of things about this industry and it's definitely a clean industry and what it will bring to our State.

I stand to speak up in favor of this bill but I do so thinking about what Representative Ikeda has said and I look at this bill giving an exemption to carriers. . .to vessels over ten thousand tons, and I look at these visitors coming into our State, and we are looking at giving an industry bringing visitors an exemption, but yet, we have a population out there that wants an exemption from food and drugs. And I feel that's the kind of exemptions we should really be looking at."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1437, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Third Reading

by a vote of 47 ayes to 4 noes, with Representatives Hirono, Ikeda, Takitani and Taniguchi voting no.

Stand. Com. Rep. No. 700 on H.B. No. 33, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 33, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Sakamoto voting no.

The Chair directed the Clerk to note that H.B. Nos. 1437 and 33 had passed Third Reading at 1:17 o'clock p.m.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

H.B. No. 1310, HD 1, on Third Reading:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 1310, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODIAL INTERFERENCE", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1310 had passed Third Reading at 1:19 o'clock p.m.

At 1:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:21 o'clock p.m.

H.B. No. 1208, HD 1, on Third Reading:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 1208, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR TAXES", was recommitted to the Committee on Finance.

H.B. No. 2, HD 1, on Third Reading:

Representative Kunimura moved that H.B. No. 2, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

At 1:22 o'clock p.m., Representative

Rohlfing asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:23 o'clock p.m., the motion was put by the Chair and carried, and H.B. No. 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2 had passed Third Reading at 1:23 o'clock p.m.

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

The House of Representatives reconvened at 2:23 o'clock p.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 754 on H.B. No. 629, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, Stand. Com. Rep. No. 754 and H.B. No. 629, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", were recommitted to the Committee on Finance.

Stand. Com. Rep. No. 755 on H.B. No. 1870, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, Stand. Com. Rep. No. 755 and H.B. No. 1870, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS OF THE STATE AND MAKING APPROPRIATIONS THEREFOR", were recommitted to the Committee on Finance.

Representative Lacy then rose and asked whether or not the Chairman of the Finance Committee would yield to a question to which Representative Kunimura answered:

"It all depends on the question, Mr. Speaker."

Representative Lacy asked:

"I would like to ask the Chairman of the Finance Committee if we are planning to possibly recommit because there is an error of substance in this bill which our committee must reconsider before midnight and decide whether we have erred and should cancel the pay raise involved here, or consider this as not in error and then have a chance to bring it back to the floor before midnight so

that we could go on through with this pay raise."

Representative Kunimura answered:

"There is no error in the matter that we are now about to recommit. But I learned long ago, Mr. Speaker, that wise men change their minds, fools don't. And, as Chairman of the Finance Committee, as I explained in the caucus, that I would like to recommit it to take another look at this matter and then come down with a recommendation and, therefore, in answer to your query, gentleman from the Waikiki district, the answer is 'no error'."

Representative Lacy then rose and stated:

"Mr. Speaker, I want to thank the chairman for that explanation because I was greatly worried that there was an error in substance in this and since all of us on the committee would be just as much to blame for allowing something to come before your attention with a substantive error in it. Now that we have no substantive error, I should think we would be able to consider the bill on its merits on this bill, Mr. Speaker."

At 2:25 o'clock p.m., Representative Narvaes asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:26 o'clock p.m.

At 2:27 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfling and carried, the House of Representatives stood in recess until 8:00 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives reconvened at 8:30 o'clock p.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 626 on H.B. No. 266, HD 1:

Representative Nakamura moved that the report of the Committee be adopted and H.B. No. 266, HD 1, having been read throughout, pass Third Reading, seconded by Representative Taniguchi.

Representative Rohlfling then rose

to speak against the bill, stating:

"Mr. Speaker, the passage of House Bill 266 by this body, in my belief, would be premature and potentially damaging to the development of geothermal resources in the State. There are three basic legal questions that are pertinent to the question of geothermal resource ownership.

The first, a geothermal resources mineral resources even though Act 241 enacted in 1974 describes geothermal resources as minerals, this definition has not, to my knowledge, ever been tested in the courts.

The second significant legal issue is whether the expressed and implied mineral reservations contained in the various land deeds, patents, and other conveyances that have been issued over the years by the monarchy, and that goes way back, the Republic, the Territory, and the State, are, in fact, valid. In other words, were geothermal resources reserved and is the documentation valid?

The third question, if the answer to the above two questions is affirmative; that is, that geothermal water heating dissolves minerals do qualify as 'minerals' and the various documents that have conveyed lands with or without mineral reservations are valid, then there is a serious question as to whether House Bill 266 constitutes a taking of private property without due compensation as provided by the Constitution. In other words, Mr. Speaker, the bill could very well be unconstitutional.

Given these three broad and complex areas of uncertainty, House Bill 266, if enacted into law, is certain to generate litigation. That litigation will be long and expensive. I don't think I need to remind you of the case on Kauai regarding the water rights and what can happen in one of these long ownership land type cases and one of the more recent ones was the sand question on the Big Island.

Some of the owners that would be involved in geothermal type issues are very large, wealthy estates and corporations. Some are small parcel owners that might cost a lot to fight and maybe that's all they have and they might be hanging in there all the way. Even the Federal government may have lands in the State which contain geothermal resources.

The basic practical economic fact underlying the whole issue is that the existence of geothermal resources in significant commercial quantities and quality have not yet been proven. Although

at least two private concerns are conducting exploratory drilling programs, this is, in fact, the case.

The passage of House Bill 266 now may delay or halt these exploration and resource confirmation activities. At the very least, by the passage of House Bill 266, we will surely precipitate a long litigation process before either the State or the surface land owners know whether the answer is worth anything to either party. It's a bit like fighting over the ownership of gold on Mars. We don't know whether there is any and if there is, whether we can get it back.

There is little argument that the whole question will have to be settled. It should not have to be settled until the value of the result; namely, the extraction of the resource has been determined.

It is my feeling that this bill would be better off in committee for interim study and consideration of all the ramifications on this measure. It might very well be that the State would be better off in declaring ownership and causing litigation -- it holds up the process of extracting the resources, much less finding them, if it would take the attitude of saying we will pass the severance tax and we will take our cut from what comes out, but we will also encourage the people who are in this to go ahead and find the resource, number one; and bring it out, number two, for the benefit of all the people of our State.

Thank you, Mr. Speaker."

Representative Nakamura then rose to speak in support of H.B. No. 266, HD 1, stating:

"Mr. Speaker, as previously noted by the previous speaker, the definition of minerals in 1974 was amended to include geothermal resources. That law has not been challenged and on the Big Island, two applicants have applied with the State for geothermal energy. They have not challenged the law. I think it is clear that the ownership of geothermal resources belong to the State. The Office of the Attorney General has reviewed this matter and it has no objections to the bill.

I urge all members to support the bill."

Representative Kamali'i then rose to speak against the bill, stating:

"Mr. Speaker, just for one reason, that the State Constitution creating the Office of Hawaiian Affairs also says that they shall be recipients of the proceeds to mineral rights. I guarantee you that there will be a law suit if you disregard the Constitution as it sets up the Office of Hawaiian Affairs."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 266, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES", passed Third Reading by a vote of 43 ayes to 8 noes, with Representatives Anderson, Kamali'i, Lacy, Liu, Marumoto, Monahan, Narvaes and Rohlfing voting no.

The Chair directed the Clerk to note that H.B. No. 266 had passed Third Reading at 8:38 o'clock p.m.

Stand. Com. Rep. No. 689 on H.B. No. 808, HD 2:

Representative Kunimura moved that the report of the majority of the Committee be adopted and H.B. No. 808, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

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

"Mr. Speaker, I realize that there are many problems with our highway systems. It is sad that they haven't been maintained and we are now faced with many present and future problems.

However, Mr. Speaker, I find it hard to believe that this proposed solution is even being considered. This measure would renounce the Legislature's responsibility to the people of the State of Hawaii. It would give the Administration the power of taxation when, in fact, that power should be strictly legislative. This bill would let the Director of Taxation set the fuel tax rate and base with a formula that he shall annually establish.

Mr. Speaker, I feel this is not the proper solution to our highway funding problems. These funds which are normally deposited into the general fund would, under this bill, go into the State Highway Fund which is a special fund. Mr. Speaker, as you very well know, special funds are not counted against the State's expenditure ceiling. Therefore, in reality, what we are doing with this measure is just circumventing the expenditure ceiling and our Constitution. Under this bill, the \$30 million or so which would ordinarily count against our expenditure

ceiling will be given less legislative scrutiny because the millions will be deposited into a special fund. Mr. Speaker, look at the Hawaii Housing Authority DUR Fund -- the Dwelling Unit Revolving Fund -- a fund that is supposed to help solve the problems of housing in the State. Mr. Speaker, that fund is very messed up now. It has been given very little legislative input, very little legislative scrutiny, and Mr. Speaker, that is a special fund. Mr. Speaker, based on the premise that there is money to be spent, the Legislature will spend it. Mr. Speaker, this bill has side effects that would inevitably allow government to grow in areas other than transportation. President Reagan's philosophy is that government is too big. I think I have talked about that and expounded on that philosophy now for years. Well, my philosophy is that in this State, government has grown way too big and much too fast.

For example, Mr. Speaker, in a very short time, our State budget, our biennial budget, has increased tremendously. My first term, that budget was somewhere in the vicinity of \$1.5 billion. For FY 7981, the State budget ballooned to \$2 billion. For this biennium, we are looking at a budget that is going to end up over \$2.6 billion. By the time that biennium is over, I don't know what that figure is finally going to end up. Mr. Speaker, our budget is steadily increasing and way too fast. This measure will surely add to that growth.

Mr. Speaker, I'm glad that we have, because of our Constitution, an expenditure ceiling. For that, I thank the members of the Constitutional Convention that are here in these halls today. Mr. Speaker, if it wasn't for that -- the expenditure ceiling -- government will grow much, much faster than what we will see it grow with expenditure ceiling.

Mr. Speaker, I'm not saying that we shouldn't upkeep, maintain and repair our highways because I feel very strongly that as a State it is a must that we provide a safe highway system. I feel very strongly that we as a Legislature must provide the monies -- millions necessary to upkeep, maintain and repair our highways. But, Mr. Speaker, I want the money that is spent to keep our highways safe to come from the State General Fund.

I urge all members to vote 'no' on this measure because we must keep growth of government down."

Representative Ikeda then rose to speak against House Bill 808, HD 2, stating:

"Mr. Speaker, this bill reassigns the collections of the four percent general excise tax from the general fund to the State Highway Fund, which is a special fund, permanently.

Special funds are not, in general, a sound practice. By allowing a tax to be set aside for a purpose related to the source of the revenues is not the philosophical base of our system. Otherwise, we would be required to link, for example, our taxes on liquor to alcohol abuse programs, or collections on food and drugs to road maintenance outside grocery stores. We cannot and should not regard the source of taxes as the recipient of those taxes.

Further, our taxation theory relies on the concurrence of the people through their elected representatives to make the determinations about the use of those dollars. Special funds subvert that kind of review and reflection.

This bill makes that subversion explicit: The so-called 'equitable tax formula' mandated by this bill from the Tax Director would only require gubernatorial approval. We are giving away our legislative prerogatives and ignoring the significance of 'checks and balances', particularly over funds.

Especially now, with a constitutionally-mandated expenditure ceiling on the general fund, these special funds smack of 'end runs' on necessary limitations to government spending. It would be possible, by this kind of funding, to divert the great bulk of our taxes into specific pots without regard to legislative concern. We would, in effect, establish a new budgetary process.

I believe this potential was recognized in a flawed manner in House Draft 1. That version of this bill set a 'drop dead' clause on this channelling of money to guarantee such legislative review.

Perhaps as important, Mr. Speaker, is that this measure, regardless of version, continues to address our highway problems in a questionable way. We have commissioned and received a number of reports in the last twenty years on this subject. Without exception, these studies have recommended the transfer of this function from the State to the counties. I agree.

If we truly want to do a permanent run on the general fund, then let's consider this obvious and more appropriate means -- let's give this responsibility and initial

funding to the counties.

By our actions, we're only again demonstrating our unwillingness to openly and constructively deal with a persistent problem.

I, therefore, ask you to vote against this measure.

Thank you."

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

"Mr. Speaker, I did want to refer to something that did go back a little bit to the past which, I am sure, the distinguished Representative from Kauai will remember. In the early 60's, when the majority party was passing a great deal of legislation in this State, one of the key things that was done was to terminate the special funds and to put the legislation and the funding and the fiscal decisions of this House and the Senate in their place. . . ."

At this point, Representative Stanley rose on a point of order and stated:

"Mr. Speaker, will you ask the speaker who is addressing us to state whether he is speaking in favor of the bill or against the bill?"

Representative Rohlfling continued, stating:

"Mr. Speaker, I am speaking against the bill.

I think Representative Ikeda brought out the key issue in this measure and that is what I was addressing myself to.

We are starting the process of undoing the control of the fiscal management of this State in terms of policy, and I think that we've really come full circle. If we play that game and we don't level with the fact that we do have a spending ceiling that was put in by the people of the State, then the consequences will be, I think, very clear in due course.

Thank you, Mr. Speaker."

Representative Lacy then rose to speak against House Bill No. 808, HD 2, stating:

"Mr. Speaker, I will make my comments very short because they are to the point and many others have said them.

My unhappiness with the bill is

that we are diverting funds from the general fund, basically in violation of the Constitution -- the intent of the Constitution -- that we are accountable for the spending limit from the general fund. Obviously, this can be done. We've had others that have approached this in the same manner. In fact, the entire constitutional safeguard of the spending limit for the people of this State can be violated if we, as the Legislature, decide to shunt funds, passing quickly through as a general fund but not having any status within the general fund.

The State highways do need more work. The State highways do need the money. There is no question in our minds. We believe the Department of Transportation is telling us the honest-to-goodness truth -- they need these funds, all of these funds. If you have reviewed the budget as I am sure the Transportation Committee has, and the Finance Committee, you will note that we have moved from some \$2.5 million this year up to around \$6 million and next year, another \$6 million, as a planned maintenance program. But that's not sufficient, and so, there are more funds asked for. So, they are needed if we are going to get our road system back into the condition that they should be in.

But what we failed to do is that we have failed to ask the citizens of our State who drive on the road, who use them, to pay the tax. What's wrong with the use tax? Why don't we tax ourselves and pay as we go? If we need more money in that fund, that's where we ought to put it. Let's not be ashamed to ask the taxpayer at the gas station to put up the money. You're afraid to ask them for more? They'll be willing if they know that they're paying for those roads and that's where the money is going and, certainly, in our system, that's where the money is going to go.

I am sure that we are all proud of the work in which the total Department of Transportation is handling for our State. We should be proud of it; it's one of the finest organizations, from a management standpoint, that we have. They tell you the truth -- they need the money. They should have the money, and there's not time enough to get it any other way but I think that we should take care of this as soon as possible, and let's put the tax on so we all pay a fair share and stop taking away from the general excise tax.

Thank you, Mr. Speaker."

Representative Kunimura then rose

to speak in favor of the bill, stating:

"Mr. Speaker, I believe that if we had 26, maybe 24, members of this House like the previous speaker, we wouldn't have any problem. I remember, not too long ago, Mr. Speaker, we placed, not a penny, not even half a penny, but 45/100 of a penny, less than half a cent, on the weight tax for State highway use. You remember -- you were here, Mr. Speaker. There were people shivering, shaking, protesting -- why? But, I guess like labor pain, you know, it's easily forgotten. But I would like to say this -- what is more equitable than the four percent on fuel be used back on the highway?

And talking about special funds, abolishing of special funds -- yes, we did, because there were so many special funds created by previous, and previous, and previous administrations that when we took over in 1962, Mr. Speaker, we wiped out a lot of them because we couldn't even account for what they were doing. But we left the highway special fund; we left the harbor special fund; and we improved on the airport special fund. Today, this State has very little, or few, special funds, but these are all studied and well thought of legislation and I'd be damned, Mr. Speaker, as the day will be long tomorrow, come next year, I'd like to see when that fuel tax measure is presented to this body, how many will shiver, shake, rattle and roll.

Thank you, Mr. Speaker."

Representative Waihee then rose and stated:

"Mr. Speaker, I rise to speak in favor of this particular motion, and in the process, to begin to vent some of my personal prejudices or beliefs, or corrections as to what exactly the Constitution mandates.

I think we ought to know that the Constitution actually only mandates that the Legislature set a spending limit. The Constitution itself did not set any specific spending or expenditure limit. The present limit that we are all suffering under was originated in the statutes, as I believe, in the Senate, so I think we all ought to give credit where credit is due. My point number one.

The second thing. . . however, Mr. Speaker, what the Constitution does do is that it does specifically state what revenues ought to be counted towards the spending limit. The Constitution

specifically exempted special funds from the spending limit. . . Okay? So, that is not an area that it mandated a particular expenditure. It is an area that it left up to legislative discretion such as we are considering tonight.

In my mind, I find no higher use tax that we could possibly charge for the use of our highways than the taxes that we impose upon the gasoline. If we want to make the user pay for the highways, I suggest we have more better vehicle than the particular bill before us.

For these reasons, Mr. Speaker, I would rise and speak in favor of this motion.

The motion was put by the Chair and Representative Stanley proceeded to announce the vote when Representative Kamali'i asked for a recess.

Representative Yamada then rose on a point of order and said:

"Mr. Speaker, we are in the middle of a voting and I think our rules say that in the middle of a voting that we continue voting."

Representative Rohifing then stated:

"Mr. Speaker, I believe that Representative Narvaes was trying to reach the floor. I don't think we have to precipitate a vote on a consent ruling at this early hour. I would suggest that that kind of action is not necessary at this time."

Representative Yamada, on a point of order, stated:

"Mr. Speaker, I think the Speaker recognized Representative Stanley and she has the floor, and she announced a portion of the vote and, therefore, we should continue with the vote."

The Chair ruled:

"The Chair will rule, at this moment, that notwithstanding the observation shared by the Majority Floor Leader, the Chair now recognizes Representative Narvaes", and directed Representative Narvaes to "proceed."

Representative Narvaes then said:

"Mr. Speaker, I appreciate your kindness.

Mr. Speaker, in rebuttal of the previous speaker, the rationale that revenue is derived from the taxes on gasoline. . . the use, to take care of the highway problems could also be applied to many other areas where we derive revenue.

For example, I have in front of me the annual financial report of the State of Hawaii for the fiscal year ended June, 1980, and if you go down the lists of items from which we derive revenue, you have the general excise tax, you have general excise tax licenses, you have the net income tax for corporations; you get \$37 million from them; then you get the net income tax from individuals of \$294 million; you get liquor permits and taxes of \$20 million; you got the tobacco taxes; you get taxes on all kinds of things. Maybe we should set up a special fund for each one of those so that whatever service needs to be provided to take care of the problems that are created because of their uses, the same rationale could also be applied as we are using for the gas tax."

Representative Kunimura then rose and stated:

"Mr. Speaker, I would like to thank the gentleman from Kalihi Valley. That's exactly what we are doing, and in the future, if we should come across anything that has any good reason why this House or the future House or the future Legislature should not look in the area of special funds if it so dictates, and this is exactly what you have argued for that we should be voting for this bill.

Thank you, Mr. Speaker."

The motion was again put by the Chair and carried, and the report of the majority of the Committee was adopted and H.B. No. 808, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXES ON LIQUID FUEL SOLD OR USED FOR OPERATING MOTOR VEHICLES", passed Third Reading by a vote of 43 ayes to 8 noes, with Representatives Baker, Dods, Ikeda, Kamali'i, Lacy, Monahan, Narvaes and Rohlfling voting no.

The Chair directed the Clerk to note that H.B. No. 808 had passed Third Reading at 8:59 o'clock p.m.

Stand. Com. Rep. No. 690 on H.B. No. 1470, HD 2:

Representative Kunimura moved that the report of the majority of the Committee be adopted and H.B. No. 1470, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative D. Hagino then rose and requested a roll call vote on this measure.

At 9:00 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:01 o'clock p.m.

Roll call having been requested, the motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.B. No. 1470, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION", passed Third Reading by a vote of 34 ayes to 17 noes, with Representatives Aki, Albano, Baker, D. Hagino, Hirono, Ige, Kobayashi, Lacy, Levin, Liu, Marumoto, Matsuura, Nakasato, Rohlfling, Shito, Takamine and Toguchi voting no.

The Chair directed the Clerk to note that H.B. No. 1470 had passed Third Reading at 9:05 o'clock p.m.

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

The House of Representatives reconvened at 9:15 o'clock p.m.

H.B. No. 519, HD 2, on Third Reading:

On motion by Representative Sakamoto, seconded by Representative Takamine and carried, H.B. No. 519, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL DISTRICTS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 714 on H.B. No. 10, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 10, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FUTURE FARMERS OF AMERICA (FFA) PROGRAM", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 519 and 10 had passed Third Reading at 9:16 o'clock p.m.

Stand. Com. Rep. No. 715 on H.B. No. 630, HD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 630, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Isbell then rose and requested that her remarks, in support

of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Isbell's remarks are hereby inserted:

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

Mr. Speaker, this bill provides for the addition of a Third Circuit Court judge for the island of Hawaii.

I am in favor of installing another judge to the Third Circuit Court, however, I do question the absence of a statement of destination for the placement of the judge.

May I point out to you, Mr. Speaker, that it was the West side of Hawaii who requested the additional judge. What frustrates me about this bill is that although it would provide such a judge, it is most likely that judge would sit in Hilo -- where there are already two other judges.

Mr. Speaker, I suggest that this judge be established on the West side.

Currently, people from the areas of Kohala, Waimea and Kona are forced to pay higher fees to their lawyers as they spend precious time traveling to and from Hilo for cases which originated on the West side of Hawaii. It seems unfair that there be three judges in one area -- Hilo -- and none in an area where there is a large and growing caseload.

Mr. Speaker, I question the validity of passing a bill that does not explicitly solve the problems which it was created to answer.

I believe this bill fails to fulfill its original purpose and should be amended. I am hopeful that the Senate will correct this error.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 630, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 716 on H.B. No. 767, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee

was adopted and H.B. No. 767, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED COMPENSATION PLANS FOR PUBLIC EMPLOYEES", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Ikeda voting no.

The Chair directed the Clerk to note that H.B. Nos. 630 and 767 had passed Third Reading at 9:17 o'clock p.m.

Stand. Com. Rep. No. 717 on H.B. No. 957, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 957, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

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

"Mr. Speaker, this appears to be like speaking against motherhood -- aquaculture and mariculture and something in this field, I am certainly in support of. I just find it unnecessary to have to pass a statute to create a committee which could be created by the executive if he would just call on the people in his department and call the people in the community together to proceed. There is nothing in the Constitution that I read that mandates the creation, by statute, of a committee to accomplish this purpose. I think this is putting more paper in the shelves of the lawyers and the community and the HRS series for nothing. A good managing executive could handle this by just making a few telephone calls and setting up some meetings to do it regularly."

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

"Mr. Speaker, as a person who has been the first Executive Secretary of the Agricultural Coordinating Committee, one can really see the problems that exist when an industry proliferates. It seems like it is very easy for any person to just make a few phone calls and get people together and solve the problems especially when an industry is growing and with this very immense kind of diverse problem.

The intent of this bill, I am hoping, is that it will address to a lot of these problems that will arise because the beginning of the aquaculture and mariculture is still in its infancy and it is going to develop very rapidly. We are still at the threshold of a tremendous increase and as the industry develops, you are going to find multitude of problems cropping

up, and it is better to have a committee such as this formed to address these problems so that the industry can develop orderly and with much planning.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 957, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE GOVERNOR'S AQUACULTURE AND MARICULTURE COORDINATING COMMITTEE", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Rohlfing voting no.

Stand. Com. Rep. No. 718 on H.B. No. 1451, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1451, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISPLACED HOMEOWNERS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 719 on H.B. No. 1604, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1604, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE CAMPAIGN SPENDING LAW", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 957, 1451 and 1604 had passed Third Reading at 9:21 o'clock p.m.

Stand. Com. Rep. No. 720 on H.B. No. 1880, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1880, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1880 had passed Third Reading at 9:22 o'clock p.m.

Stand. Com. Rep. No. 721 on H.B.

No. 1808, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 1808, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Aki then rose and stated:

"Mr. Speaker, in rising to speak in support of House Bill 1808, House Draft 2, I wish to point out that should this bill pass the Legislature, our Hawaiian archipelago has the potential to become even more famous than the Galapagos Islands. The only difference is that the fauna studied by Darwin were larger, such as the Galapagos turtle, whereas the insects and birds of our islands are tiny and not easily visible by the naked eye. Not only are they difficult to observe but, more importantly, many are in danger of becoming extinct and lost forever.

Mr. Speaker, I urge all members to support this bill.

Thank you."

Representative Kunimura then rose and stated:

"Mr. Speaker, because of this bill, and I urge all members to vote for it, I was able to learn that in my own backyard in Poipu, that we have blind spiders feeding on blind shrimps. And the most wonderful thing that ever happened is to learn that there are things like that here in Hawaii and nowhere else in the world, and there are carnivorous caterpillars. And these people study the sex life of flies, you know, and it is something fantastic. We can all kind of laugh but this is going to open a new horizon for scientists -- local born scientists. And we will be attracting a lot of grant monies and we can be very proud that we not only have the rarest commodity in the world, and that is the aloha spirit, but we also have some biological new finds in the process of evolution, and I am so thrilled and so excited, Mr. Speaker, I cannot wait voting for this bill."

Representative Anderson then rose and stated:

"Mr. Speaker, after that, I really have a hard time saying that I am going to vote against the bill. I agree with everything that the Representative from Kauai has said. However, when we were in committee, a lot of the literature that they showed us -- it was done by

people from the mainland who came down here and. . . what happens, Mr. Speaker, is that we are spending a lot of money that pertains to different peoples' own little kuleanas. Even if we were to say, how about doing this home here, some university on the mainland would send somebody anyway. So even if we were doing the research, we would still have people coming over to do the same research we're doing. We're having overlapping programs; we're spending money that could be spent in other areas.

You know, I am just as excited as Representative Kunimura but we're going to have blind little opais over here and I am really proud because, on the mainland, they all have bifocals maybe. But I can't see spending money if it's unnecessary. And after listening to everybody, we have these people working, but to say that we're going to have to keep funding additional moneys -- I just can't buy that at this time, Mr. Speaker, so I would hope my colleagues would save that money and try to spend it in places elsewhere at the University that would really need it.

Thank you, Mr. Speaker."

Representative Kunimura then rose and stated:

"Mr. Speaker, I am rather surprised that the young man from the Windward side and if I do sound like Mr. Lacy, I have been with Mr. Lacy for a long time, but I am rather surprised, Mr. Speaker, that such a young man cannot see that and if he was in the Finance Committee hearing, they were all local boys -- born here, raised here, and educated here. I didn't see any mainland type people here, and if they do come, they are also welcome, but we should attract the best minds in the world. And I hope you're not one of those, Mr. Speaker, endangered species. . . blind. I don't know what but we do have blind spiders eating blind shrimps."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1808, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PROGRAM AT THE UNIVERSITY OF HAWAII FOR THE STUDY OF THE BIOLOGY OF THE ISLANDS OF HAWAII", passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Anderson and Rohlfing voting no.

The Chair directed the Clerk to

note that H.B. No. 1808 had passed Third Reading at 9:26 o'clock p.m.

Stand. Com. Rep. No. 733 on H.B. No. 1874, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1874, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION", having been read throughout, passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Baker, Isbell, Rohlfing and Takitani voting no.

The Chair directed the Clerk to note that H.B. No. 1874 had passed Third Reading at 9:27 o'clock p.m.

Stand. Com. Rep. No. 734 on H.B. No. 66, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 66, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Kamali'i then rose and stated:

"Mr. Speaker, I rise to speak for this bill with reservations.

Mr. Speaker, I testified before the House Finance Committee on this measure. I have very deep concerns for the proper implementation and funding of the Office of Hawaiian Affairs, and I am very upset by this proposal to fund only half of the administrative costs of the office from the general revenues and to use the other half from the twenty percent pro rata portion of the trust fund.

OHA is a State agency, a governmental function encouraged by the people of this State, with the ratification of the office and its purposes. But that announced support has not been upheld by this measure. Instead, we are falling back to the same mistakes made for more than sixty years with the Department of Hawaiian Homes Lands where the revenues generated by the department were not used only for the benefit of the homesteaders, but also defray the legitimate governmental expense for administrative costs. Having finally corrected that mistake for Hawaiian Homes, we now ask OHA to diminish its benefits and pay for its operations. I find that tragic and the possible misuse of public trust moneys.

Further, Mr. Speaker, I take great exception to the so-called rationale for this 50/50 funding of administrative costs. As explained in the two committees which considered this measure, the money from the general fund is meant to represent the portion of expenses to be met by Hawaiians -- native Hawaiians, those who are 50 percent or more Hawaiian, are to match their blood quantum in funds. I find that most unfortunate line of thinking.

The Office of Hawaiian Affairs does not and should not divide its money, its attention, or programs between two groups of clients -- native Hawaiians and other Hawaiians. It is, after all, the Office of Hawaiian Affairs, not the office of native or other Hawaiians.

I will vote for this measure, but only because I hope that this very basic error can be corrected in the Senate.

Thank you."

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

"Mr. Speaker, I would have been most happy to have accommodated the Minority Leader, but during the course of our hearing, it was advanced by the Executive Director of OHA, and this proposal of four hundred plus dollars to be incorporated from our general fund to be matched, and how can we argue when the Executive Director came and told us that it was the Board that recommended this. That was my understanding, Mr. Speaker.

Thank you."

Representative Kamali'i, in rebuttal, stated:

"Mr. Speaker, if we are now going to shed light on the subject, then let us go further and turn the light on stronger.

The administrator of OHA did come to the House with the request of eight hundred thousand plus out of the general revenues. They were told that would not happen. Because they have condescended to the fact that they could not get all the \$800,000 out of the general revenues, they again took crumbs. As we say, half a loaf is better than none.

They, too, are a young agency. Their trustees have a lot to put together with the responsibilities as mandated by the Constitution. But we don't

have to compound this as legislators. And, in my speaking before the Finance Committee, I resented very much that the committee report had the audacity to make a definition of Hawaiians and native Hawaiians. That couldn't even be done in the Constitutional Convention. Yet, it is in the committee report.

Because the administrator of OHA said 'I will take half a loaf', Mr. Speaker, that does not make it right."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 66, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 66 had passed Third Reading at 9:35 o'clock p.m.

Stand. Com. Rep. No. 735 on H.B. No. 1571, HD 2:

Representative Kunimura moved that the report of the Committee be adopted, and H.B. No. 1571, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

At 9:35 o'clock p.m., Representative Anderson asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:40 o'clock p.m.

Representative Ige then requested that his speech, in support of the measure, be inserted into the Journal and the Chair, noting that there were no objections, so ordered.

Representative Ige's remarks are hereby inserted:

"Mr. Speaker, I rise in support of House Bill 1571, HD 2, legislation which would appropriate funds for the continuation of the 'Pierre the Pelican' newsletter which is distributed by the Children's Mental Health Services Branch of the Department of Health.

'Pierre the Pelican' is a monthly newsletter and is sent to first-time parents for the first three years of their child's life. It is provided free of charge to some 6000 parents per month whose names are obtained from the live birth registry. Because this list only includes legitimized births, single mothers are referred, with their permission, to the Children's Mental Health Services Branch

from a variety of agency sources. Parents of newly-adopted infants are also referred for inclusion on the 'Pierre' mailing list by DSSH social workers.

Other publications concerning child growth and child raising were under consideration by the Department of Health for distribution to parents. 'Pierre the Pelican' was selected by the agency as being the most comprehensive and understandable among the selections.

'Pierre the Pelican' is designed to provide first-time parents with information on their child's social, emotional, physical, and behavioral development. Just as important, this newsletter also recognizes and supports the parents' emotional needs, anxieties, and expectations. It focuses upon the kinds of adjustments that a couple must make in their lives with the addition of a child and attempts to prevent the occurrence of child abuse and neglect by those parents who fear their 'aloneness' in child raising and in their feelings of uncertainty or inadequacy.

While Department of Health officials and representatives from private mental health agencies support this project, it is the testimony and support of the parents who receive this newsletter which is most important.

In June, 1980, the Department of Health conducted an evaluation of the 'Pierre the Pelican' newsletter. Over 90 percent of the parents who responded believed that the newsletter helped them during the adjustment period to better understand and care for their baby and to better understand their own needs and feelings. 94.5 percent wanted to continue to receive the newsletter, 96.5 percent enjoyed the newsletter, and 95.5 percent found it to be of great help to them. The feedback that the Department of Health has received, in telephone calls and letters from parents, has been tremendous.

I believe that it is time that we consider other alternatives to the 'band-aid' treatment of child abuse and neglect problems that the State has been prescribing. Without our investment in funding and promoting prevention programs now, there will never be an end to the number of child abuse or neglect incidents. There will come a time when funding will deplete itself but the abuse and neglect caseload will continue to escalate.

We can continue to provide for treatment programs for the parents who abuse and the children who have been abused, but we must now begin to think about the implement programs that will prevent the future abuse by parents on their children.

Prevention is critical.

There were over 2300 reported cases of child abuse in this State in 1979 and the Child Protective Services Branch has appealed to the Legislature for more funding and more positions to better handle their current, and their anticipated, abuse and neglect caseloads.

Mr. Speaker, while the 'Pierre the Pelican' project may not be the panacea to the many problems of child abuse in the State of Hawaii, I firmly believe that, for the money and the information that will be circulated, we are taking a definite and positive step in the right direction.

I ask that this honorable body give its most serious consideration of H.B. No. 1571.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1571, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 'PIERRE THE PELICAN' PROJECT", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Narvaes voting no.

Stand. Com. Rep. No. 736 on H.B. No. 1158, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1158, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1571 and 1158 had passed Third Reading at 9:40 o'clock p.m.

Stand. Com. Rep. No. 737 on H.B. No. 923, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 923, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 923 had passed Third Reading at 9:41 o'clock p.m.

Stand. Com. Rep. No. 742 on H.B. No. 370, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 370, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Ige voting no.

Stand. Com. Rep. No. 743 on H.B. No. 641, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 641, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 370 and 641 had passed Third Reading at 9:42 o'clock p.m.

Stand. Com. Rep. No. 744 on H.B. No. 785, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 785, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 745 on H.B. No. 779, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 779, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF REGULATORY AGENCIES", having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Rohlfing and Wong voting no.

Stand. Com. Rep. No. 746 on H.B. No. 114, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 114, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 785, 779 and 114 had passed Third Reading at 9:43 o'clock p.m.

Stand. Com. Rep. No. 747 on H.B. No. 824, HD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 824, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Monahan then rose and stated:

"Mr. Speaker, I rise to speak in favor of House Bill 824, House Draft 1, with some reservations.

Mr. Speaker, this bill, according to its accompanying committee report, provides for the improvement and clarification of several provisions with respect to financial aid and State scholarships for the University of Hawaii and I am in favor of those. The bill was amended to include provisions also to expand and facilitate the appointive and removal powers of the Board of Regents.

In direct response to the amended portion on the scholarship, I am in full agreement. However, I do not agree with the proposed amendment directing the Board of Regents, after having evaluated the performance of the President, to submit an annual written evaluation report to the Governor and the Legislature of that performance.

Specifically, I am opposed to the fact that to make public the evaluation of the President of the University of Hawaii would be a violation of the basic tenets of personnel relations. These tenets are privileged, confidential and personal. That is why evaluations are specifically set aside for execution in closed sessions by public bodies.

I also believe, Mr. Speaker, that such an 'evaluation' and a report to

this body and the Governor would violate the internal relationship between the Board of Regents and the President. A smooth relationship based on trust and confidentiality must be maintained between the two parties if we are to expect an efficient and open university system.

In addition, the amended Section 1 would set an unhealthy precedent in other departments, agencies, and committees regarding public personnel evaluations.

I think the spirit of the amendment is correct. I would like to suggest that the word 'President' be replaced with 'Administration.' That is, that in the proposed amendment in Section 1, that the Board of Regents, having evaluated the Administration would then report upon this performance to the Legislature and the Governor. This would give the public a much more constructive and comprehensive review of the University based on a function rather than the performance of a single individual. Also, such a report on the Administration, instead of the President himself, would really address the very serious concerns of the Legislative Auditor's report.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 824, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Fukunaga, Ikeda, Liu and Okamura voting no.

The Chair directed the Clerk to note that H.B. No. 824 had passed Third Reading at 9:46 o'clock p.m.

Stand. Com. Rep. No. 748 on H.B. No. 76, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 76, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

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

"Mr. Speaker, I just want to inform my fellow colleagues that the passage of this bill is the first step toward the beginning of a blue revolution for Hawaii. The appropriation is very generous and is more than sufficient

to acquire a large 500-foot mother ship from the United States Navy.

However, it is our hope that with a lot of aquatic fertilizer, the bill may, hopefully, miraculously survive this session with a little more financial enthusiasm. If this dream becomes a reality, our commercial fishermen will double their catch and drastically cut their operational costs.

I would like to, at this time, make a personal wish of naming this ship, just in case I am not here when the ship is launched, and I would like to name the ship. . .put in the Journal my recommendation of naming the ship 'Clarice'.

Thank you."

Representative Lacy then rose and stated:

"Mr. Speaker, with tongue in cheek, I would wish to speak in favor of this bill and congratulate the committee and the chairman for seeking out this opportunity for the good of our State. But I want to make one small correction.

I hope he won't feel bad even with my Southern drawl, as pointed out by the honored Representative from Kauai, a ship generally is thought of as having a propulsion system, and this may be nearer to what one would term an outstanding barge.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 76, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES DEVELOPMENT", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 76 had passed Third Reading at 9:50 o'clock p.m.

THIRD READING

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

H.B. No. 817, HD 1:

Representative Nakamura moved that H.B. No. 817, HD 1, having been read throughout, pass Third Reading.

At 9:50 o'clock p.m., Representative Taniguchi asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 9:51 o'clock p.m., Representative Taniguchi seconded the motion.

The motion was put by the Chair and carried, and H.B. No. 817, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 817 had passed Third Reading at 9:52 o'clock p.m.

H.B. No. 331, HD 1:

Representative Kiyabu moved that H.B. No. 331, 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, this bill would exempt negotiated gratuities, tips or service charges from the general excise tax. I must, however, agree with the Director of the Department of Taxation that this exemption is discriminatory and erosive of our tax base.

I disagree, further, with the committee's contention that such tips and service charges are not 'income' to a business. They may not keep the amount, Mr. Speaker, but a great many travellers find it an attractive part of a package tour to have all such tips and gratuities taken care of for them. Therefore, I feel that such an arrangement does contribute to the income of such businesses.

In addition, this bill would again move in a disjointed fashion to diminish our excise tax base. The great bulk of our tax collections are generated by the general excise tax and if you want to continue making certain distinctions between the sources and uses of that base, then do so knowing that you must also reduce spending. I am not opposed to that, but I am opposed to an irresponsible and unintended reduction of collections without full planning.

Further, I believe that kinds of distinctions we have been trying to make are being done on the basis of the individual groups involved rather than with a new philosophical commitment. I find that blatant and unacceptable discrimination.

In conclusion, much of what is being attempted could be better handled by separating the excise tax premise

from the structure and principles of a sales tax. Far be it for me to argue another layer of taxation in this State, but such a move might act to restore fairness and equitability in our taxation without resorting to this patchwork system of exemptions.

I ask you to vote 'no' on this measure."

Representative Say then rose to speak in support of H.B. No. 331, HD 1, stating:

"Mr. Speaker, I realize that some of my colleagues here this evening are opposed to this bill, primarily for the technical reasons. But their criticism does not question the intent or purpose of the bill. It explicitly states that we shall exempt from the general excise tax negotiated gratuities or service charges, including guaranteed tips, for services in connection with food and entertainment services. Imagine this -- a packaged program at a hotel or in a tour conductor service costs \$20. Remember, this includes a guaranteed tip of about \$2 or \$3, depending how you want to tip that particular conductor or waitress. Yet, when the hotel or business records its gross proceeds, it must include the \$20 subject to the general excise tax, not \$17 or \$18 which it receives in actuality.

To be sure, there seems to be no hardship immediately imposed upon the employee who receives the \$2 or \$3 tip. After all, it is guaranteed. However, the business is paying a higher percentage than it should be. Again, let us look more closely at statistics. Normally, a waiter or waitress gets 15 percent of the receipts as part of the package deal offered to the customer. The hotel owner then pays 4 percent on what he keeps or earns, the \$17 or \$18 he receives. Then, because he must submit the total \$20 as his gross proceeds, he pays a double-jeopardy 4 percent on the \$2 or \$3 which he does not receive but gives to his employee. In other words, the owner pays 6/10 of 1 percent extra.

To be sure, he is a businessman, and he must live in the context of the American democratic framework of the free enterprise system. He will then almost assuredly impose an increase of 6/10 of 1 percent on already high food prices, or hotel room cost, or he may even be discouraged to offer higher wages to his employees, by 6/10 of 1 percent.

This bill, House Bill No. 331, House draft 1, is an incentive to the hotel owner to avoid these possibilities. The bill exempts him/her for amounts received as negotiated gratuities, tips, or service charges. He/she will have gross proceeds

of \$17 or \$18 to report, to be subject to the general excise tax.

I disagree that this bill contradicts the philosophy of the general excise tax system. It does not erode the tax base nor discriminate against other taxpayers and businesses subject to the tax. After all, the tips and gratuities are income to the employee, not to the employer.

I have a fear that we may be more concerned about whether or not we shall have a lot of public revenues collected from the general excise tax than about whether or not we are being fair and equitable to people. These people are hardworking and earnest employees and employers.

In the long run, this bill protects all of us from allowing discrimination and double-jeopardy against businesses such as the hotels and tour conductors and from giving these businesses the opportunity and reason to inflate prices on food, hotel rooms, or to deflate real needs on the part of the employees to increase their wages. I ask all of you to think about that 6/10 of 1 percent. It's not so negligible in the long run.

I ask all of my colleagues to support this measure.

Thank you."

Representative Ikeda, in rebuttal, stated:

"Mr. Speaker, contrary to the previous speaker's contentions, I do object to the contents of this bill. Mr. Speaker, by the time this Legislature gets through with all of these favored treatment exemptions, we will be lucky to have enough taxes left to pay the bills.

If we are going to continue passing special exemptions from the general excise tax, then let's pass one that I can vote for, namely, the repeal of the four percent tax on food and drugs."

The motion was put by the Chair and carried, and H.B. No. 331, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Anderson, D. Hagino, Ikeda, Nakamura, Rohlfing, Sakamoto and Takitani voting no.

The Chair directed the Clerk to note that H.B. No. 331 had passed Third Reading at 9:59 o'clock p.m.

H.B. No. 944, HD 1:

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, H.B. No. 944, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed Third Reading by a vote of 51 ayes.

H.B. No. 71, HD 1:

On motion by Representative Ige, seconded by Representative Nakamura and carried, H.B. No. 71, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 944 and 71 had passed Third Reading at 10:00 o'clock p.m.

H.B. No. 1931, HD 1:

Representative Honda moved that H.B. No. 1931, HD 1, having been read throughout, pass Third Reading, seconded by Representative Shito.

Representative D. Hagino then rose to speak in favor of the bill, stating:

"Mr. Speaker, when this bill first came out, I had some objections to the bill which were taken care of in House draft 1. I think it is a good bill. I just want to point out so that it will be in the Journal that we are basically talking about people from the Youth Correctional Facility doing yard work and that type of intermittent work which I think is very good for them. We are not talking about a sub-minimum wage where they would be working at specific places of employment, and I just wanted to clarify that.

Thank you very much."

The motion was put by the Chair and carried, and H.B. No. 1931, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WORK RELEASE PLAN", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1931 had passed Third Reading at 10:01 o'clock p.m.

H.B. No. 807, HD 1:

Representative Kiyabu moved that H.B. No. 807, HD 1, having been read throughout, pass Third Reading, seconded by Representative Morioka.

Representative Kamali'i then rose

and stated:

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

Mr. Speaker, this bill provides a tax credit of \$100 to each resident taxpayer as a fulfillment of the constitutional requirement return of surplus revenues. I am pleased by two aspects of this bill.

One, that we have separated the rebate from the notion that the return is somehow a reduction of the four percent excise tax on food and drugs as described by the Governor; and two, that the amount is higher than the \$50 return advocated by the Governor.

However, I also have two major reservations which I would like to share.

First, to make this rebate in the form of a tax credit instead of a tax refund forces the citizens of this State to wait another year before they enjoy a reduction in their taxes. We should make an immediate individual tax refund this year. The argument that the cost of cutting and mailing the checks as argument against the idea simply doesn't hold. We should simply consider that as part of the mandated return, and I am certain that the taxpayers would find it an acceptable government expense. Further, we should increase the amount of the refund. With the two year surplus of \$179 million as covered by the Constitution, we could refund the \$125 per resident taxpayer, and we should. It is totally unacceptable to me that we should continue carrying such an enormous surplus when the people of this State need tax relief.

For that reason, Mr. Speaker, I will vote for this measure even though I wish it were more generous and more timely.

Thank you."

The motion was put by the Chair and carried, and H.B. No. 807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 807 had passed Third Reading at 10:04 o'clock p.m.

H.B. No. 1239, HD 1:

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, H.B. No. 1239, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1239 had passed Third Reading at 10:05 o'clock p.m.

H.B. No. 241, HD 1:

Representative Kiyabu moved that H.B. No. 241, HD 1, having been read throughout, pass Third Reading, seconded by Representative Morioka.

Representative Rohlfing then rose and stated:

"Mr. Speaker, just several remarks. . . I am speaking in favor of the bill with reservations.

Mr. Speaker, this bill follows suit with prior actions by the Legislature and the executive approving to give tax credits starting in 1965 in an attempt, as the committee report states, to alleviate some of the impact of the four percent excise tax which was imposed in 1965 over considerable resistance by a few of us. The problem is that it still does not get at the front end which is the regressive taxation that was opposed at that time and which is still continuing.

The committee finds, in its report, that serious tampering with the existing tax system which would occur if we exempted food and drugs would be inappropriate pending the report of the Tax Review Commission. The Tax Review Commission has been extended, or will be, if the bill that was earlier before this body is passed, and we have continually, as a Legislature, deferred getting at the root problem, facing up to the fact that we are hooked on this money coming in, and while we give some of it back, and I am in favor of this, because this is the only vehicle that is before me to try and return some money to the people. So, I have no choice but to vote 'aye' if I believe in returning the money and trying to resolve at least some of the basic inequities.

On the other hand, I think that it is important to continually point out that it would be a lot more efficient from the citizens' standpoint if he didn't have to pay the tax from the front end when he buys the food and drugs. And when we take the action we are taking here, we are, in effect, copping out on facing that issue and, believe me, if I read the ads and I heard the statements made in the last election, and the election before that, and before that, there were more people running

who said they were going to abolish food and drugs taxes from the excise level on this State, and I don't understand why it is we can't have that bill before us to vote on.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 241, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXCISE TAX CREDIT", passed Third Reading by a vote of 51 ayes.

H.B. No. 769, HD 2:

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, H.B. No. 769, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE 1984 SILVER JUBILEE OF HAWAII'S STATEHOOD AND MAKING AN APPROPRIATION THEREFOR", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 241 and 769 had passed Third Reading at 10:08 o'clock p.m.

H.B. No. 1579, HD 1:

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, H.B. No. 1579, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING INDUSTRIAL PARKS FOR FOOD MANUFACTURERS", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Rohfling voting no.

The Chair directed the Clerk to note that H.B. No. 1579 had passed Third Reading at 10:09 o'clock p.m.

H.B. No. 1522, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 1522, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF LEASED OR RENTED PERSONAL PROPERTY", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1522 had passed Third Reading at 10:10 o'clock p.m.

H.B. No. 194, HD 1:

On motion by Representative Nakamura,

seconded by Representative Taniguchi and carried, H.B. No. 194, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", was recommitted to the Committee on Judiciary.

H.B. No. 293, HD 1:

Representative Nakamura moved that H.B. No. 293, HD 1, having been read throughout, pass Third Reading, seconded by Representative Taniguchi.

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

"Mr. Speaker, I strongly feel that this bill will not accomplish the intended purpose in reducing violent crimes in our State. This measure will only place an additional burden on our law-abiding citizens who, incidentally, include the legitimate users of firearms.

Mr. Speaker, I firmly believe that (1) the mandatory sentencing of felons who use firearms in committing these crimes is a better deterrent, but this provision was deleted from the bill before us.

Secondly, Mr. Speaker, our laxity in sentencing and paroling habitual criminals should also be re-evaluated.

Mr. Speaker, the only provision that is palatable in this measure is the ten day 'cooling off' period.

Incidentally, Mr. Speaker, New York City, Washington, D.C., as well as Great Britain, who have had handgun or firearm bans for a number of years, have not been able to reduce the amount of crimes involving firearms. On the contrary, Mr. Speaker, studies indicate crimes are on the increase in these areas and, Mr. Speaker, what is more surprising is that the majority of these violent crimes involved illegal firearms. In other words, Mr. Speaker, when they outlawed handguns or firearms, only the outlaws had them. It also created a huge black market for stolen firearms.

Thank you."

The motion was put by the Chair and carried, and H.B. No. 293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives Aki, Andrews, Kawakami, Nakasato and Sakamoto voting no.

H.B. No. 1428, HD 1:

On motion by Representative Nakamura,

seconded by Representative Taniguchi and carried, H.B. No. 1428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREJUDGMENT INTEREST", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 293 and 1428 had passed Third Reading at 10:11 o'clock p.m.

H.B. No. 1838, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 1838, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed Third Reading by a vote of 51 ayes.

H.B. No. 1167, HD 1:

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, H.B. No. 1167, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE VENTURE CAPITAL INFORMATION CENTER", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1838 and 1167 had passed Third Reading at 10:12 o'clock p.m.

H.B. No. 797, HD 1:

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, H.B. No. 797, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 797 had passed Third Reading at 10:13 o'clock p.m.

At 10:13 o'clock p.m., Representative de Heer asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:45 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 756) recommending that H.B. No. 629, HD 1, pass Third Reading.

Representative Kunimura moved

that the report of the majority of the Committee be adopted and H.B. No. 629, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Liu then rose to speak against H.B. No. 629, HD 1, stating:

"Mr. Speaker, I was prepared to vote on House draft 2 earlier in the day. However, House draft 1 is before us; I signed the committee report attached thereto 'I do not concur'; I voted 'no' on Second Reading, and I shall do so on this measure also.

My reason is that I think it is the wrong time to give our judges the increase included in this measure. We are in a period of transition economically. I think we have to set an example in terms of our governmental officials' pay, and I think this sets the wrong kind of example.

The Judicial Salary Commission, in its report, tried to be thorough but admitted that their recommendations were based, not on the real world in terms of what is available, but they based their decisions without looking at the hard realities that faces this State, so I can't fault the Salary Commission for its recommendations. It was our duty in committee, and it is our duty now, for us to look at what those hard realities are.

We have programs in other areas, in the human services area, that are not getting funded as much as they need be to provide services for our needy, to the young, to the elderly, to the poor, and I am sure others of you in the other program areas have seen similar situations with other programs.

To grant judges across-the-board salary increases that go over 38 percent, in the case of district judges, I think is exorbitant and wrong, and I urge all my colleagues to vote 'no' on this measure.

Thank you, Mr. Speaker."

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

"Mr. Speaker, I will not make any lengthy remarks this time. I wish to hold those until the following bill may be presented. But I want to say that this is so tied in with that, that my remarks that I make in the following, Mr. Speaker, apply to the system that we have, that is really percentage-wise as we are all familiar with so that it is across the total executive area, along with the

judicial, so I wish to express to you my desire that my remarks be thought out when I am speaking in the next one.

Thank you, sir."

Representative Marumoto then rose and stated:

"Mr. Speaker, it is readily apparent that the Public Employment and Government Operations' drafts of the judicial salary bill would allow for a 20 percent raise. Also, for the executive bill, and that the Finance Committee's drafts, a 10 percent raise.

The Finance Committee's recommendation means lower salaries of course, but also contains a better analysis of the relative importance of the jobs between the two branches of government as reflected by the remuneration assigned to the several positions.

In other words, salaries should not be set by looking solely at one branch but at the total structure of State government and the responsibilities and functions assigned to each position.

The PEGO recommendation gives both the Governor and the Chief Justice the same \$60,000 a year salary. That is tantamount to saying that they are equal in stature as heads of their respective branches of government. But then things go awry. The pay of the people below the Governor and the Chief Justice range downward in order of their rank and responsibilities. A closer look reveals little logic.

Whereas the judges' salaries are grouped closer to \$60,000, the Lieutenant Governor is \$6,000 below the Governor at \$54,000 -- quite a gap. This results in a situation where the Lieutenant Governor makes the same as a Circuit Court judge, and less than all the Appellate Court judges and associate justices. Does this not say that our number two executive office ranks very low -- at least in relationship to judges?

On that scale, I don't know where it puts the Legislature with \$13,000 salaries.

To further insult the Executive Branch, the heads of the PUC, Public Employment Relations Board, the Employee Relations Board, will also make \$54,000. Is this a proper indication of their importance?

Department heads will make less than all of the above-mentioned people --

\$51,000 -- and I believe their duties range far and wide, yet they will be paid less than most judges.

The Finance Committee's drafts are far superior in recognizing that salaries should be commensurate with position and responsibility, no matter in which branch of the government.

I am hoping that future salary commissions would take a look at the now defunct House draft 2 in making their recommendation.

I ask all Representatives to vote against this measure.

Thank you."

Representative Rohlfing then rose and stated:

"Mr. Speaker, very briefly, I wish to associate myself with the remarks, particularly of Representative Liu, and to add that as an attorney, you are sometimes reluctant to vote against salary increases for judges, but I find that very seldom is there a judge who doesn't want to be reappointed. In fact, we had a law suit recently about one who didn't make it through the Commission who sued to get his job back. I didn't hear anything then and I haven't heard anything from any others saying we don't want our job because we aren't being paid enough, and it is my judgment that this is a . . . I would have gone along like others with the bill that was previously before us, but this one, I cannot swallow."

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

Roll call having been requested, the motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.B. No. 629, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Third Reading by a vote of 37 ayes to 11 noes, with Representatives Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros, Monahan, Narvaes, Rohlfing and Wong voting no, and Representatives de Heer, Dods and Takamine being excused.

The Chair directed the Clerk to note that H.B. No. 629 had passed Third Reading at 10:55 o'clock p.m.

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 757) recommending that H.B. No. 1870, HD 1, pass Third Reading.

Representative Kiyabu moved that the report of the majority of the Committee be adopted and H.B. No. 1870, HD 1,

having been read throughout, pass Third Reading, seconded by Representative Morioka.

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

"Mr. Speaker, tonight the hour is getting late; we have had considerable discussion in many areas for many of you on my feelings concerning the pay raise for the executive. The one thing, Mr. Speaker, I wish to make clear is that I am in favor of a pay raise. It's the degree of the pay raise that I am speaking to tonight.

I have reviewed the report furnished to the Governor from the committee that was appointed to investigate this area. It is always of great concern to our citizens on the pay of our public appointees and our public employees throughout the system, whether they are civil servants or they have special privilege beyond that, whether they have been elected or appointed, so I think that I would like to concentrate my thoughts on what many feel is an inadequate salary for the Governor.

The Governor sets the pace of all salaries within the executive and judicial -- that is our system. It's not necessarily a good system but that is the one we are with. The one thing this committee stated is that we should have a commission that should work on this problem. The study turned out to recommend the 20 percent raise. It was not definitive in any respect of cutting back in any areas; it merely recommended basically the same system we have but it gauged itself upon the Governor's salary. The Governor, for those of you that have not read all the report and has not followed his income closely, makes \$50,000 today. He, some five years ago, in that office, would have made roughly \$46,000. Roughly the same period before that, some \$42,000. So, the question comes up -- has he been underpaid all these years, or did he have an advantage all those years, and has been making a little extra? Some feel that he'll just be catching up so if we give him the pay raise now of 20 percent, he'll be in a condition that will be satisfactory. My position is that the raise should not exceed 10 percent.

Now, some of the reasons for that. Do you know that Hawaii ranks 40th in population in the entire country? And considering those states who have a population between 500,000 and 1,500,000, there is no state that pays a salary greater to their Governor

than Hawaii, and only Nevada equals us. Do you know that the Governor of the state of California makes \$49,100?

Another item that you might be interested in is that between the employees -- sometimes the argument is that our Governor has so many people that he is really managing because of his position and the centralized government that we have in Hawaii. Those between 32,000 and 55,000 state employees, ranking from the 27th to the 37th in size of the states of our nation, Hawaii has 44,493 as the report of the committee states. Only Iowa pays more than Hawaii -- none of the other nine do. So we shouldn't be ashamed of what we are paying our Governor.

Some use the argument that the City and County -- the Mayor makes more than the Governor. The Mayor doesn't get a free house, servants, free transportation, many other perquisites. Our Governor deserves those, but that is part of the total fringes that we are considering, and that is probably one reason that Governor Brown of California only makes \$49,100 -- he has the mansion which I am not sure he lives in right now because he is a bachelor; he said he didn't want that big house. But wherever he lives, he does have some perquisites. I think that the important thing to keep in mind is that our Governor does have a beautiful home, he does have contingency funds, he does have assistance, he does have maintenance personnel, he does live comfortably, and rightfully he should. We should be proud that we can do that for our Governor. But the salary. . . the importance of that salary is that it is throughout the whole structure what we do with the Governor's salary. By raising it 20 percent, we are then saying those salaries below there are now open to major raises.

We are in a financial crisis in our country today. Mr. Speaker, we have many problems in order to help cut down the inflation. We have problems for some of our low paid personnel throughout our State. The cost of living is a major concern. If you make \$40,000 or \$50,000 a year, you have not excess money, but you have discretionary money to spend. Those in the low income brackets do not have that. We have to think about the fact that we need to supply certain social programs which we cannot meet today. The reason we cannot meet that today is that we have such a heavy burden of personnel costs in our State government. A few thousand more dollars for social programs for the disabled, or for education, would be of tremendous help.

So, Mr. Speaker, I am very disappointed

that the bill was withdrawn that gave the Governor and all of those under his command throughout our State and the Judiciary a 10 percent raise. I am not asking that you defeat the bill, in the sense that give him nothing, but I strongly feel that we have erred seriously in looking at the total problem that we face and that this amount of money, even though it is not very large to everyone in the State, it is important that if we could save this, we could do some of those programs we will not be able to cover this year.

Thank you, Mr. Speaker."

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

"Mr. Speaker, as we all know, the last pay raise given by this body to the elected and appointed executives of the State was in 1976, some five years ago. A 20 percent increase in pay over five years is a 4 percent increase each year -- lower than the State's average annual increase in salaries.

Mr. Speaker, we all know too that the Governor and his department heads make less than the Mayor and her cabinet at the City and County of Honolulu. It's about time this body gave the Governor and his dedicated department heads a raise, or possibly face losing these prized individuals to the counties or private sector.

Mr. Speaker, we've heard comments on our Governor's pay as being one of the highest in the nation among states with a comparable population. But our Governor has the responsibility of the State's education, health and welfare -- unlike other states whose counties handle these areas.

Mr. Speaker, the previous speaker is clouding the issue by spotlighting the Governor. The bill before us addresses compensation of public officers of the State.

For these reasons, Mr. Speaker and members of the House, I urge your support on H.B. No. 1870, HD 1."

Representative Narvaes then rose to speak against H.B. No. 1870, HD 1, stating:

"Mr. Speaker, you know, the other day when House draft 2 was before me, I wrote a little note and the note basically said something to the effect that you had my admiration and my

support on this measure, and that individual really did. But now that House draft 1 is in front of me, that man still has my admiration, but he definitely does not have my support.

Mr. Speaker, I just cannot see any justification for the high levels of salary increases contained in this bill at a time when we have to be so cautious in dealing with our annual budget. A 20 percent salary increase is outrageous. Mr. Speaker, approximately 20 percent of the people of Hawaii work in State government -- one out of four. That means that four out of five people support the salaries of State workers. The salaries go higher and higher, the demand for tax revenues increase, and the people that are not State workers get drained more. Mr. Speaker, there is no justification for those salary increases when the general public is struggling just to get by -- hit by inflation and increases in the cost of oil.

Mr. Speaker, it's like Representative Lacy had pointed out, and California is a big state. I think their budget is something like \$20 billion to \$25 billion -- I don't even know what the exact figure is, but I think it is in that ballpark and the Governor of California doesn't get paid as much as our Governor, and their budget is really a lot bigger than ours, and their population is much greater than ours.

Furthermore, Mr. Speaker, the cost implications are tremendous. The cost of this bill does not end with the 20 percent increase in pay. There are other hidden costs which we don't seem to consider when we consider matters such as this. We consider matters separately; we don't consider matters together. We don't look at the big picture. These hidden costs which have not been addressed are such things like fringe benefits; specifically if you could focus your mind and your attention just for a second on retirement benefits. Mr. Speaker, we are already falling behind in our contributions to our retirement system. There is already a gap. Recently, a \$46 million crisis in the funding of the retirement system came to light. Mr. Speaker, our retirement system is presently allowing for 5 1/2 percent salary increases. Yet, in the last five years, salaries for State employees have increased an average of 7.2 percent. So you can see we are already behind. This bill gives 20 percent salary increases, making the gap grow tremendously larger all at once.

Mr. Speaker, the public pays for the increase; they pay for the retirement benefits. The public pays and pays

and pays. I don't feel they are getting back on their investment a proportional share of what they are putting in."

Representative Kamali'i then rose and stated:

"Mr. Speaker, may I request a roll call before I give you my remarks?"

The Chair asked:

"You are asking for a roll call now, Representative Kamali'i?"

Representative Kamali'i answered:

"No, Mr. Speaker, I just don't want it to go Z-A-P!"

The Chair replied:

"The Chair is happy to accommodate your request by way of a roll call right now."

Representative Kamali'i thanked the Chair and said:

"If you wait a few minutes, I will accommodate you", and proceeded with her remarks, stating:

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

Mr. Speaker, this afternoon, in my opinion, we witnessed the most flagrant abuse of power and of the legislative process that I have seen since the year we improperly passed the legislative salary raise. And, like that time, my fellow members of the House, we did not just do a disservice to ourselves, we also dishonored this House.

In answer to a question earlier today with regard to House Bill 1870, HD 2, the Chairman of the Finance Committee responded there was no substantive error in either the committee report or the bill that was originally on our calendar for action. That bill would have raised the Governor's salary by 10 percent which I would have voted 'aye' on.

Tonight, we are presented with a bill which increases the executive salary by 20 percent and does contain errors. Most glaring is a blank appropriation. Are we really to believe that this change is for the better? And to use a quote that was used earlier today -- is this action of a wise man who has changed his mind after careful deliberation, or is the rush judgment of a fool who wants his way more than he wants

to do right? That question is a matter of individual conscience. . ."

At this point, Representative Yamada rose on a point of order and stated:

"Mr. Speaker, I hope the speaker would confine her remarks to the merits of the bill and not try to pick on personalities or make innuendoes towards that end."

The Chair asked Representative Kamali'i to confine her remarks to the measure and directed her to proceed, whereupon Representative Kamali'i continued, saying:

"I will try.

What is a matter of public conscience, Mr. Speaker, however, is a violation of a legislative process in bringing this bill to the floor. The right and expectation of every citizen in this State is that they can attend hearings, testify, wait for the decision-making, and feel that they were part of the deliberative process. We have broken that trust tonight. The citizens of this State were not consulted to inform them of our actions. They would simply hear the same old news on TV, or read it in the papers. Our attitude is one of 'public be damned.' We want it and intend to have it our way.

Well, that's not my way, Mr. Speaker. I believe further that it is not the way of this House. We have also violated our own bounds of trust and respect for each other. The committee structure, the standing of the Finance Committee, all have been damaged by this bill. Virtually all legislation considered by this body is subject to review by the Finance Committee. There are even some of us who have worried that too many committees were abdicating their responsibilities with the idea that the Finance Committee would be the responsible one. . ."

At this point, Representative Yamada rose on a point of order and stated:

"Mr. Speaker, the prior speaker is deviating from the merits of this bill and instead is talking about other things that are not for this House at this time."

The Chair asked Representative Kamali'i to "confine your remarks to the measure before us" and directed Representative Kamali'i to proceed.

Representative Kamali'i continued, stating:

"Certainly that seemed the case this year on separate money bills when we

passed along over \$170 million worth of appropriation bills and I must say, Mr. Speaker, that until today, I was very impressed with the high level of responsibility and accountability shown by our Finance Committee. But now, they have undone their work and in a manner highly questionable -- there is no justification for House Bill 1870, HD 1, for a 20 percent raise in executive salaries.

Some of our public employee unions are still in negotiations. How can we maintain good faith bargaining with them to hold the line when we pass this increase for the Governor? In fact, like the counties, I believe that we should tie executive salary levels to the negotiating settlements of our unions if we are so concerned about the Mayor making more than the Governor. That would be far more responsible and comprehensible than what we did today.

On all counts then, I cannot endorse this or support this bill, and I will vote 'no' and hope that others will join me in this injustice.

Thank you."

Representative Kunimura then rose and stated:

"Mr. Speaker, I am not rising to speak in favor of this bill, but rather, I rise on a point of personal privilege.

Several remarks were made about the Finance Committee and about the statement I made this afternoon and I would like an opportunity, Mr. Speaker, to answer those remarks.

Mr. Speaker, it may not be a known fact to the media or to the public, but certainly, the Minority Leader knew what might come down. I did not hear any objections -- serious objections -- to the recommitment. I explained to them, Mr. Speaker, that there were three options: One, reconsideration and bring the other bill back; this bill could come down; or no action at all.

Mr. Speaker, if one had not had an opportunity to become chairman or enjoy the privilege, the responsibility, and the rare opportunity of serving as chairman of a committee, one cannot understand because as long as you're not a chairman, you can remain as an island. The most beautiful part about democracy, Mr. Speaker, is that no one is gagged, and the most beautiful part about it is that the minority has the best opportunity to 'Monday

morning quarterback.'

Mr. Speaker, I am not going to pass the blame on anyone else. The Minority Leader was at the Finance Committee meeting when I announced what was before the committee. I have never, Mr. Speaker, pulled anything behind anybody's back. This is not a December 7th. Everyone knew. How many came up and said anything at that Finance Committee hearing? It is easy when the television cameras and the newspapers are around with their pen and pencil, scribbling like hell. But the truth is, Mr. Speaker, maybe too few people have the guts to speak out except on the floor, for public consumption only, and behind the scene, act so differently. I am sick and tired of this double standard.

Mr. Speaker, I said today in the Finance Committee hearing that I will accept the full responsibility if I caused any grief or any embarrassment. I did not hide, Mr. Speaker. You see, if you've been around here long enough, you know you've got to play the team game. . .okay? No man is an island. Sometimes you give, because to receive you must give, and to give, you must have someone to receive.

Mr. Speaker, I am very proud of the Finance Committee members, both Republicans and Democrats, and I say this in all honesty. If I did err in agreeing to recommit, then hang me and not the members of the committee. I bear full responsibility as I stated at the committee hearing, but let's not pull this kind of shenanigan about making quotes.

This House has never voted itself a pay raise. It was a pay raise for departments. We voted ourselves a pension bill, but people can't even remember what happened only a few years ago because they are so wrapped up and so bigoted and trying to call each other or ourselves to disgrace this House as a bunch of crooked politicians. Of course, when we talk that way, everybody is going to believe. Okay?

And I again say, Mr. Speaker, I am not speaking for this bill. I remain neutral, but I try to accommodate the feelings of the members of this House.

Thank you."

Roll call having been requested, the motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.B. No. 1870, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS OF THE STATE AND MAKING APPROPRIATIONS THEREFOR",

passed Third Reading by a vote of 40 ayes to 10 noes, with Representatives Baker, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Monahan, Narvaes and Rohlfing voting no, and Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 1870 had passed Third Reading at 11:25 o'clock p.m.

At 11:25 o'clock p.m., Representative Anderson asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:34 o'clock p.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 752 on H.B. No. 1576, HD 1:

Representative Kiyabu moved that the report of the Committee be adopted and H.B. No. 1576, HD 1, having been read throughout, pass Third Reading, seconded by Representative Morioka.

Representative Ikeda then rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill but with some reservations.

Earlier today, Mr. Speaker, we passed a bill establishing the Hawaii State Occupational Information Coordinating Committee and its component, the Hawaii State Occupational Information System and the Hawaii Career Information Delivery System.

Mr. Speaker, there is no doubt about the merits of this or of the Career Resources Center. But my concern lies with the funding and the fact that ultimately these two entities will end up competing with each other for those funds. And I would like to say at this time that I hope that the Department of Labor will see to it that these programs work together rather than against one another and with that, Mr. Speaker, I will vote in favor of this bill."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1576, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREER RESOURCE CENTERS", passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 753 on H.B.

No. 984, HD 2:

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 984, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PROVIDING GENERAL CASUALTY INSURANCE FOR FOSTER PARENTS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1576 and 984 had passed Third Reading at 11:35 o'clock p.m.

THIRD READING

H.B. No. 1, HD 1:

Representative Kunimura moved that H.B. No. 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

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

"Mr. Speaker, it was a very difficult period for those of us in the Finance Committee, and under the very able leadership of the chairman, we were able to take hundreds of diverse views, analyze as much as we had the time to do the best we could, assemble a document that we can pass to our Senators giving a broad outline of the plan in which we wish to end this session of the Legislature, now some six weeks ahead.

Mr. Speaker, if I might, I would like to comment on some of the weaknesses in the budget system that affected us, which is then shown in our budget, so that other members of the Legislature and the public who do not have a chance to see the day to day workings of the Finance Committee, nor of the other committees, might appreciate.

The greatest weakness we have, Mr. Speaker, is that we don't have enough assistance and staff analyzing of the efficiency of the departments of this State in order that we can adequately assign the effectiveness of any one department. I am sure that from your experience in the Finance Committee, you understand that we do have some analysts -- they work very hard and they have some information so we can make minor corrections. But it is very difficult for us to decide whether or not 475 people working in an area with a \$14 million expenditure, carrying on an excellent program, might or might not need four more people, or could they give up thirteen and shift

that emphasis to another department of our State government where we need more help and thereby saving us, in the long run, the expenditures in giving our State a better administration.

What I am saying, Mr. Speaker, is that until we, the Legislature, can devise a method and fund the support to guarantee that all parts of our government are working as efficiently as possible, we will come to the point where we have two pounds of material to go into a one pound sack. And that is what confronted the Finance Committee this year. We have had to cut programs; we have had to deny programs that are sorely needed. But one of the weaknesses that we discovered, not only in the Finance Committee, but we discovered this in your subject committees, was that the Administration would send us a budget that had emasculated certain programs that had been carried on in this State for a number of years. Since the Federal government is threatening the removal of certain support, we are becoming used to the shock so we are taking actions that we may really not need to do.

One of the special funds that you know of that we received that is of such importance to us in the State is the Title XX fund. But when one department pulls the Title XX fund from another department and doesn't do it on a program basis, it is devastation.

I won't take your time this evening to read you the number of programs that were affected but every island of our State, every county, was seriously affected. There are shelters that we should have for our youth that have no place to go. We have problems with the disabled. We have problems with those that are, you might say, less fortunate or unable to take care of themselves, whether they be drug addiction, alcoholism, and that's in all the counties. But for a while, the Administration ignored that completely. We did not necessarily, Mr. Speaker, receive from your committees the solution to these problems. We were given the problem to solve in the Finance Committee.

I hope that we can all work together for the betterment of our State and have programs supported, across-the-board, when they are needed -- not cut piecemeal. If a program is not to be supported across-the-board, then it ought to be dropped completely, not partially done in one department of our government and dropped in another department.

In final comments, Mr. Speaker, I hope that we will work together in the coming weeks, and the various committees will assist the Finance Committee for what, no doubt, will be a very interesting conference committee in about six weeks.

Thank you."

Representative Narvaes then rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill, but I would like to flag out some of my reservations.

Mr. Speaker, first of all, I want to go to conference on this because I really want to see what the Senate is going to send back but, Mr. Speaker, I have some reservations and I think I need to flag out with the hope that eventually, some day, the philosophy that I hold, and the philosophy that Reagan has, and the philosophy of my party, will grow and people will become more believers of it because I think we must start to adapt that philosophy that government is too big and it's growing too much.

Mr. Speaker, I have said before and I will say it again that the budget is growing too fast, that government, as a whole, is growing too fast, and that it is requiring too much from those who are not in government.

Mr. Speaker, during my first term, the biennial budget was \$1.5 billion. That was only four years ago. Mr. Speaker, the next biennium budget -- the biennium budget for 1979-1981 -- was \$2 billion. The budget that we have in front of us is a \$2.6 billion budget. That's a lot of growth in a short time.

Mr. Speaker, I have reservations in the budget because I don't know what's in it for collective bargaining. I would like to know but it seems that there is a need for secret in that area for obvious reasons but, Mr. Speaker, I don't like it when only the Governor and a selected few know what's in the budget for collective bargaining items, especially when we have to vote on measures like we just did because I don't know how the budget is really going to be impacted, and I'm left guessing. And I think most of us here are left guessing.

Mr. Speaker, I have reservations because we aren't funding the retirement system properly. I think the contribution for the State's share to the retirement system is something like \$124 million for the second year of the biennium, and I don't know what the future is really going to bring because we aren't funding the system properly. The percentage

of payroll that we pay into the retirement system is going to be growing because of the policy that we are following in funding retirement benefits in this State.

Mr. Speaker, I have reservations on the budget because we are funding things like 'Pierre the Pelican' projects. There are so many others that I don't see a dire need for and I feel very strongly that we, as a State government, are trying to do too much, that a lot of these projects could be eliminated. I feel very strongly that when you spread money too thin, then you don't do a good job at all and I think in some areas, we are doing that.

But, Mr. Speaker, I have to compliment the way the committee has been doing its business because there has been a tremendous amount of dialogue, things have not been kept so close to the chest. I think the freshmen members on the committee have been educated tremendously. I got a tremendous education this year.

Mr. Speaker, it's a respectable budget. I just wish these other things will be taken care of too.

Mr. Speaker, I urge all members to vote 'aye'."

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

"Mr. Speaker, I don't know how we can sit here. . . just a few minutes ago, we hedged on \$5,000 for the top position in this State and now there are some people who have reservations on millions of dollars in different areas, hundreds of thousands of dollars -- very minor reservations, and I cannot understand that.

I'm buying this budget because I think we have done a hell of a lot of work. We have sat in our committees, we have heard what's going on, and we play games afterwards.

If you have reservations, as far as I am concerned, ladies and gentlemen, it better be on a small portion because when it gets down to the dollars and cents, we are talking about a hell of a lot of money. And just a few minutes ago, \$5,000 bothered you for the Governor of this State and that's all it was -- 10 percent versus 20 percent. I think we are in a hell of a shape and we're not doing our job.

Thank you, Mr. Speaker."

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

"Mr. Speaker, I am not going to say much, except that people laughed when you put together the House Finance Committee. They almost called it the 'Peter's Rag-Tag Army -- eight untried, undisciplined maybe, individuals, who have never seen the budget in their life and a few of them with two years' experience, namely six, and that's about all what the Finance Committee was.

But, Mr. Speaker, may I say this. In a very short few months that we have lived together, worked together, and dialogued back and forth, we have built a very cohesive, well-rounded, well meaning group of young people. Mr. Speaker, if I had my life to live all over again, I wouldn't mind serving with a group of people who served with me on the Finance Committee. I want you to know, Mr. Speaker, that it is really heartwarming to be chairman of a committee when day in and day out, weekends, long hours, and the committee members keep coming back, and our attendance record has been about 99 percent. I don't know how they did it, but I want to take my hat off to you members of the committee. We fought hard; we respected each other; we had different views, but when we made our decision, I am pretty sure, almost one hundred percent of the time, we walked away from the table when we recessed, happy that we got part of our input in the decision.

And to the staff, Mr. Speaker, they worked long hours, almost sleepless nights, came out with the necessary background material for the committee to read through and make decisions on.

This budget, Mr. Speaker, is a very truthful document. We tried our best to afford those things that were not in the Executive Budget. We converted cash CIP into general obligation bonds so that we could fund a portion of the grant-in-aid programs. And one of the most significant thing we ever did, I think, in the history that I remember, was we cut ten percent across-the-board on energy because energy has been perennially our problem. As soon as the Governor sends down a supplemental request for increased cost in energy, nobody questioned and it was funded. Well, the committee worked on this and we felt, not only a responsible thing to do, but the committee came out and felt that it was a patriotic thing to do, that if every household in this State,

or most every household in this State, because of the high cost of energy, could turn off their heater, could turn off their television, could stop wasting energy, then why not the government. But too often, in government, no one pays for electricity or energy so they keep it on. Well, if this budget holds out in conference, it is going to be a very stern message that they are going to have to turn off their electricity when it is not necessary, or turn off the air conditioning; otherwise, they are going to run out of money. And that is the only kind of message people understand. It may sound very stern, but the committee felt very strongly that it can be obtained, and we are going to try.

There are several other areas, Mr. Speaker, that we have done. I have learned very much in the sixteen years that I have spent in the Finance Committee and, especially you and I, under the very fine tutelage of Jack Suwa, and I implemented many of the things I learned, and this budget, Mr. Speaker, is a real credit to a group of young, inexperienced, rag-tag army, that put this budget across, and people thought we'll never come across on time and within the spending limit.

Mr. Speaker, I thank you for appointing the committee, and I urge all members to vote in favor of this document."

Representative Aki then rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, so ordered.

Representative Aki's remarks are as follows:

"Mr. Speaker, I rise to speak in support of House Bill 1, House draft 1. I do so, however, with some reservations in regards to actions taken by the Finance Committee in the area of higher education.

We appreciate the arduous task the Finance Committee Chairman and his committee faced in formulating the operating budget for the State, mindful of fiscal constraints and watchful of the expenditure of public funds.

I must, however, express my

serious concern about the University of Hawaii budget as developed by the committee. I am concerned that certain positions and appropriations have been deleted in critical areas. The amounts are substantial and I hope that these concerns will be considered and resolved in the conference committee.

I must also express my serious concern about the management audit of the University of Hawaii. In this regards, I wish to point out that your Committee on Higher Education has held many hours of public hearings realizing the seriousness of the matter and the complex organization of our University. We are cognizant of the years of inaction and 'academia' that was pointed out in the committee report. I sincerely hope, however, that the negative focus of the report will not overshadow the hard work and effort of those in the University, our State government, and the Legislature, who have worked in a common effort to build a quality University in which all our citizens can take pride. Without going into the details of the audit, I would like to state for the record that the audit has identified areas of significant concerns, and your Committee on Higher Education will be addressing those recommendations during the remainder of this session and in the interim. I am greatly encouraged by the testimonies received by the Board of Regents, the University administration and the faculty at our public hearing on Tuesday, March 17, 1981. All parties indicate a willingness to look at the audit report as a starting point for constructive and meaningful solution to the problem.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", passed Third Reading by a vote of 50 ayes, with Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 1 had passed Third Reading at 11:50 o'clock p.m.

ADJOURNMENT

At 11:51 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfling and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, March 19, 1981.

THIRTY-SIXTH DAY

Thursday, March 19, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Mrs. Roberta Cummings representing First Church of Christ, Scientist, after which the Roll was called showing all members present with the exception of Representatives de Heer, Dods, Kunimura, Segawa and Toguchi who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-ninth and Thirty-first Days.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, reading of the Journals was dispensed with, and the Journals of the Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-ninth and Thirty-first Days were approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 70 to 249) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 70) transmitting Senate Concurrent Resolution No. 48 recognizing and commending Trummy Young which was adopted by the Senate on March 18, 1981, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, S.C.R. No. 48 was adopted.

A communication from the Senate (Sen. Com. No. 71) transmitting Senate Bill No. 1769, SD1 entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE REPORTS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 72) transmitting Senate Bill No. 1814 entitled: "A BILL FOR AN ACT RELATING TO

WORKERS' COMPENSATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 73) transmitting Senate Bill No. 1874, SD1 entitled: "A BILL FOR AN ACT RELATING TO FALSIFICATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 74) transmitting Senate Bill No. 1925, SD1 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 75) transmitting Senate Bill No. 2041, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE CORRECTIONAL MASTER PLAN", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 76) transmitting Senate Bill No. 2068, SD1 entitled: "A BILL FOR AN ACT RELATING TO BAIL", which passed Third Reading in the Senate on March 16, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 77) transmitting Senate Bill No. 2078, SD1 entitled: "A BILL FOR AN ACT RELATING TO SUMMONS OR ARREST OF DEFENDANT UNDER SUSPENDED SENTENCE, PROBATION OR PAROLE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 78) transmitting Senate Bill No. 1746 entitled: "A BILL FOR AN ACT RELATING TO LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 79) transmitting Senate Bill No. 1627, SD1 entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 9, OF THE HAWAII CONSTITUTION, TO ABOLISH THE COMMISSION ON LEGISLATIVE SALARY", which

passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 80) transmitting Senate Bill No. 1505, SD1 entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE ORGANIZATIONS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 81) transmitting Senate Bill No. 1476 entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 82) transmitting Senate Bill No. 1471 entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES ENFORCEMENT PROGRAM", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 83) transmitting Senate Bill No. 1501, SD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 84) transmitting Senate Bill No. 1111, SD1 entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 46, HAWAII REVISED STATUTES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 85) transmitting Senate Bill No. 1112, SD2 entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 76, HAWAII REVISED STATUTES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 86) transmitting Senate Bill No. 1114, SD1 entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 80, HAWAII REVISED STATUTES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 87) transmitting Senate Bill No. 1136, SD1 entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 353, HAWAII REVISED STATUTES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 88) transmitting Senate Bill No. 1145, SD1 entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 11, HAWAII REVISED STATUTES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 89) transmitting Senate Bill No. 1157, SD2 entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 704, HAWAII REVISED STATUTES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 90) transmitting Senate Bill No. 1161, SD1 entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 329, HAWAII REVISED STATUTES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 91) transmitting Senate Bill No. 1163, SD1 entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 706, HAWAII REVISED STATUTES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 92) transmitting Senate Bill No. 675, SD1 entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 93) transmitting Senate Bill No. 856, SD2 entitled: "A BILL FOR AN ACT RELATING TO THEFT", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 94) transmitting Senate Bill No. 979, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITIES", which passed Third

Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 95) transmitting Senate Bill No. 980, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITIES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 96) transmitting Senate Bill No. 1005, SD1 entitled: "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 97) transmitting Senate Bill No. 1053, SD1 entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 98) transmitting Senate Bill No. 1069, SD1 entitled: "A BILL FOR AN ACT RELATING TO ATTENDANCE TO BOARD AND COMMISSION MEETINGS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 99) transmitting Senate Bill No. 1095, SD2 entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 100) transmitting Senate Bill No. 568, SD2 entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 101) transmitting Senate Bill No. 570, SD1 entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate

(Sen. Com. No. 102) transmitting Senate Bill No. 499 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 103) transmitting Senate Bill No. 449 entitled: "A BILL FOR AN ACT RELATING TO ANNUAL REPORTS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 104) transmitting Senate Bill No. 445, SD1 entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF FUTURE DAMAGES BY PUBLIC ENTITIES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 105) transmitting Senate Bill No. 334, SD1 entitled: "A BILL FOR AN ACT RELATING TO DOGS AND OTHER DOMESTIC ANIMALS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 106) transmitting Senate Bill No. 331, SD1 entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION EXPENSE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 107) transmitting Senate Bill No. 319, SD1 entitled: "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION AND DANGEROUS WEAPONS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 108) transmitting Senate Bill No. 273, SD1 entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ABSENCES AND REPORTING", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 109) transmitting Senate Bill No. 262, SD1 entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT PENALTIES FOR LATE RENEWAL OF MOTOR VEHICLE

REGISTRATIONS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 110) transmitting Senate Bill No. 253, SD1 entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 111) transmitting Senate Bill No. 487, SD2 entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 112) transmitting Senate Bill No. 495, SD1 entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 113) transmitting Senate Bill No. 489, SD1 entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 114) transmitting Senate Bill No. 149, SD1 entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR THE INITIATIVE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 115) transmitting Senate Bill No. 146 entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 116) transmitting Senate Bill No. 102 entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 117) transmitting Senate Bill No. 142 entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 10, OF THE CONSTITUTION OF THE STATE OF HAWAII TO PERMIT PRE-LIMINARY HEARINGS AS AN ALTERNATIVE TO GRAND JURY PROCEEDINGS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 118) transmitting Senate Bill No. 123 entitled: "A BILL FOR AN ACT RELATING TO PROMOTING DANGEROUS OR HARMFUL DRUGS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 119) transmitting Senate Bill No. 1681, SD2 entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 120) transmitting Senate Bill No. 1662 entitled: "A BILL FOR AN ACT RELATING TO RELIGIOUS HOLY DAYS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 121) transmitting Senate Bill No. 1642, SD1 entitled: "A BILL FOR AN ACT RELATING TO NURSING", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 122) transmitting Senate Bill No. 2101, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 123) transmitting Senate Bill No. 2102, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF ATTORNEYS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 124) transmitting Senate Bill No. 1629, SD1 entitled:

"A BILL FOR AN ACT RELATING TO SAFETY EQUIPMENT", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 125) transmitting Senate Bill No. 1625, SD1 entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX LAW", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 126) transmitting Senate Bill No. 1622 entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 127) transmitting Senate Bill No. 1554, SD1 entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 128) transmitting Senate Bill No. 1534, SD1 entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 129) transmitting Senate Bill No. 1507, SD2 entitled: "A BILL FOR AN ACT RELATING TO COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 130) transmitting Senate Bill No. 1497, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 131) transmitting Senate Bill No. 1496, SD2 entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN", which passed Third Reading in

the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 132) transmitting Senate Bill No. 1486, SD1 entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 133) transmitting Senate Bill No. 1684, SD2 entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 134) transmitting Senate Bill No. 1691, SD2 entitled: "A BILL FOR AN ACT RELATING TO DENTISTS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 135) transmitting Senate Bill No. 1692, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 136) transmitting Senate Bill No. 1693, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 137) transmitting Senate Bill No. 1695, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 138) transmitting Senate Bill No. 1697, SD1 entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING IN THE DEPARTMENT OF EDUCATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 139) transmitting

Senate Bill No. 1699, SD1 entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AND VANDALISM IN THE PUBLIC SCHOOLS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 140) transmitting Senate Bill No. 1713, SD1 entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 141) transmitting Senate Bill No. 1720, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 142) transmitting Senate Bill No. 1722, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE UNIVERSITY OF HAWAII", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 143) transmitting Senate Bill No. 1726, SD1 entitled: "A BILL FOR AN ACT RELATING TO ENUCLEATION PERFORMED BY TRAINED TECHNICIANS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 144) transmitting Senate Bill No. 1811, SD1 entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON THE RETIREMENT SYSTEM", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 145) transmitting Senate Bill No. 1840, SD2 entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF OFFICERS AND EMPLOYEES EXCLUDED FROM BARGAINING UNITS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 146) transmitting

Senate Bill No. 1859, SD1 entitled: "A BILL FOR AN ACT RELATING TO MERGERS OR CONSOLIDATIONS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 147) transmitting Senate Bill No. 1912, SD2 entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 148) transmitting Senate Bill No. 1936, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF INTOXICATING LIQUOR", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 149) transmitting Senate Bill No. 1942, SD1 entitled: "A BILL FOR AN ACT RELATING TO SALARIES OF THE PRESIDENT OF THE UNIVERSITY OF HAWAII AND OTHER UNIVERSITY OF HAWAII ADMINISTRATIVE OFFICERS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 150) transmitting Senate Bill No. 1947, SD2 entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 151) transmitting Senate Bill No. 1952, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 152) transmitting Senate Bill No. 2099, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 153) transmitting Senate Bill No. 891, SD2 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 154) transmitting Senate Bill No. 878, SD2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL FISHING VESSELS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 155) transmitting Senate Bill No. 868, SD2 entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 156) transmitting Senate Bill No. 831, SD1 entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES COVERED UNDER CHAPTER 89C, HAWAII REVISED STATUTES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 157) transmitting Senate Bill No. 816, SD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 158) transmitting Senate Bill No. 815, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE RENTER'S INCOME TAX CREDIT", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 159) transmitting Senate Bill No. 789, SD1 entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX EXEMPTIONS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 160) transmitting Senate Bill No. 734, SD1 entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS",

which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 161) transmitting Senate Bill No. 788 entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 162) transmitting Senate Bill No. 701, SD2 entitled: "A BILL FOR AN ACT RELATING TO ODOMETERS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 163) transmitting Senate Bill No. 665, SD1 entitled: "A BILL FOR AN ACT RELATING TO LEAHI HOSPITAL", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 164) transmitting Senate Bill No. 656, SD2 entitled: "A BILL FOR AN ACT RELATING TO REPORTS BY AGENCIES RECEIVING SPECIAL MONEYS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 165) transmitting Senate Bill No. 653, SD1 entitled: "A BILL FOR AN ACT RELATING TO DAY CARE CENTERS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 166) transmitting Senate Bill No. 648, SD1 entitled: "A BILL FOR AN ACT RELATING TO REVENUE SURPLUS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 167) transmitting Senate Bill No. 646, SD1 entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL GROUP LIVING", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 168) transmitting Senate Bill No. 643, SD1 entitled: "A BILL FOR AN ACT RELATING

TO CONTRACTORS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 169) transmitting Senate Bill No. 639, SD1 entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 170) transmitting Senate Bill No. 637, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION OF AFFILIATED CORPORATIONS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 171) transmitting Senate Bill No. 636, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 172) transmitting Senate Bill No. 601, SD1 entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 173) transmitting Senate Bill No. 600, SD1 entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 174) transmitting Senate Bill No. 1441, SD1 entitled: "A BILL FOR AN ACT AMENDING AN APPROPRIATION TO THE COMMERCIAL FISHERY AND AQUACULTURE PROGRAM", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 175) transmitting Senate Bill No. 375, SD1 entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUORS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 176) transmitting Senate Bill No. 486 entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 177) transmitting Senate Bill No. 65, SD1 entitled: "A BILL FOR AN ACT RELATING TO LAND TRUSTS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 178) transmitting Senate Bill No. 397, SD2 entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 179) transmitting Senate Bill No. 399, SD1 entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES IDENTIFICATION AND REGULATIONS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 180) transmitting Senate Bill No. 400, SD1 entitled: "A BILL FOR AN ACT RELATING TO INTEREST", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 181) transmitting Senate Bill No. 418, SD2 entitled: "A BILL FOR AN ACT RELATING TO DRUGS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 182) transmitting Senate Bill No. 422, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 183) transmitting Senate Bill No. 426, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 184) transmitting Senate Bill No. 532 entitled: "A BILL FOR AN ACT RELATING TO TRUST COMPANIES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 185) transmitting Senate Bill No. 528, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 186) transmitting Senate Bill No. 526, SD1 entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 187) transmitting Senate Bill No. 535, SD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 188) transmitting Senate Bill No. 365, SD2 entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 189) transmitting Senate Bill No. 362, SD2 entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF AGRICULTURAL ACTIVITIES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 190) transmitting Senate Bill No. 354, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF PROPHYLACTICS IN VENDING MACHINES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 191) transmitting Senate Bill No. 335, SD2 entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE", which passed Third Reading in the Senate

on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 192) transmitting Senate Bill No. 299, SD1 entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 193) transmitting Senate Bill No. 1280, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT ACT", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 194) transmitting Senate Bill No. 1096, SD1 entitled: "A BILL FOR AN ACT RELATING TO CIRCUIT COURTS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 195) transmitting Senate Bill No. 1050, SD2 entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM CONVERSIONS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 196) transmitting Senate Bill No. 997, SD1 entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 197) transmitting Senate Bill No. 1229, SD2 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 198) transmitting Senate Bill No. 1020, SD1 entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF EXCESS REVENUES (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 6)", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate

(Sen. Com. No. 199) transmitting Senate Bill No. 991, SD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS, RECORDS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 200) transmitting Senate Bill No. 1025, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 8)", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 201) transmitting Senate Bill No. 972, SD2 entitled: "A BILL FOR AN ACT RELATING TO VICTIMS' COMPENSATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 202) transmitting Senate Bill No. 931, SD2 entitled: "A BILL FOR AN ACT RELATING TO POST SECONDARY EDUCATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 203) transmitting Senate Bill No. 1449 entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 204) transmitting Senate Bill No. 1447, SD1 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 205) transmitting Senate Bill No. 1150, SD1 entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 237, HAWAII REVISED STATUTES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 206) transmitting Senate Bill No. 1223, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION",

which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 207) transmitting Senate Bill No. 1231, SD2 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 208) transmitting Senate Bill No. 1359, SD1 entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 209) transmitting Senate Bill No. 1324, SD1 entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ORGANIZATION AND ADMINISTRATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 210) transmitting Senate Bill No. 1321, SD1 entitled: "A BILL FOR AN ACT RELATING TO COURT ORGANIZATION AND ADMINISTRATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 211) transmitting Senate Bill No. 1298, SD1 entitled: "A BILL FOR AN ACT RELATING TO TRAVEL EXPENSE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 212) transmitting Senate Bill No. 1287, SD1 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 213) transmitting Senate Bill No. 1286, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 214) transmitting Senate Bill No. 1472, SD2 entitled: "A BILL FOR AN ACT RELATING

TO MEDICAL CLAIM CONCILIATION PANELS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 215) transmitting Senate Bill No. 536, SD2 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 216) transmitting Senate Bill No. 539, SD2 entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 217) transmitting Senate Bill No. 547, SD1 entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 218) transmitting Senate Bill No. 552, SD2 entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 219) transmitting Senate Bill No. 557, SD1 entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 220) transmitting Senate Bill No. 578, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 221) transmitting Senate Bill No. 590 entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 222) transmitting Senate Bill No. 591 entitled:

"A BILL FOR AN ACT RELATING TO THE BOARD OF EXAMINERS IN OPTOMETRY", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 223) transmitting Senate Bill No. 596, SD1 entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 224) transmitting Senate Bill No. 598, SD1 entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 225) transmitting Senate Bill No. 599, SD1 entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRISTS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 226) transmitting Senate Bill No. 258, SD2 entitled: "A BILL FOR AN ACT RELATING TO RELOCATION OF PUBLIC UTILITIES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 227) transmitting Senate Bill No. 167, SD1 entitled: "A BILL FOR AN ACT RELATING TO A TIME FOR MORAL REFLECTIONS IN PUBLIC SCHOOLS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 228) transmitting Senate Bill No. 163, SD1 entitled: "A BILL FOR AN ACT RELATING TO INDEXING THE HAWAII REVISED STATUTES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 229) transmitting Senate Bill No. 118, SD1 entitled: "A BILL FOR AN ACT RELATING TO MINORS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 230) transmitting

Senate Bill No. 101, SD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 231) transmitting Senate Bill No. 73, SD1 entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 232) transmitting Senate Bill No. 67, SD1 entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING SALES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 233) transmitting Senate Bill No. 66, SD1 entitled: "A BILL FOR AN ACT RELATING TO LAND USE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 234) transmitting Senate Bill No. 55, SD1 entitled: "A BILL FOR AN ACT RELATING TO HOUSING", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 235) transmitting Senate Bill No. 50, SD1 entitled: "A BILL FOR AN ACT RELATING TO ANIMALS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 236) transmitting Senate Bill No. 46 entitled: "A BILL FOR AN ACT RELATING TO TAXES ON CERTAIN DRUGS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 237) transmitting Senate Bill No. 4, SD2 entitled: "A BILL FOR AN ACT RELATING TO CAPITAL CRIMES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 238) transmitting Senate Bill No. 508, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REVISED STATUTES, TITLE 12, CONSERVATION AND RESOURCES", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 239) transmitting Senate Bill No. 464 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 240) transmitting Senate Bill No. 454 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 241) transmitting Senate Bill No. 456 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 242) transmitting Senate Bill No. 455 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 243) transmitting Senate Bill No. 457 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 244) transmitting Senate Bill No. 458 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 245) transmitting Senate Bill No. 459 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS

FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 246) transmitting Senate Bill No. 460 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 247) transmitting Senate Bill No. 461 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 248) transmitting Senate Bill No. 463 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 249) transmitting Senate Bill No. 462 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, S.B. Nos. 1769, SD1; 1814, SD1; 1874, SD1; 1925, SD1; 2041, SD1; 2068, SD1; 2078, SD1; 1746; 1627, SD1; 1505, SD1; 1476; 1471; 1501, SD1; 1111, SD1; 1112, SD2; 1114, SD1; 1136, SD1; 1145, SD1; 1157, SD2; 1161, SD1; 1163, SD1; 675, SD1; 856, SD2; 979, SD1; 980, SD1; 1005, SD1; 1053, SD1; 1069, SD1; 1095, SD2; 568, SD2; 570, SD1; 499; 449; 445, SD1; 334, SD1; 331, SD1; 319, SD1; 273, SD1; 262, SD1; 253, SD1; 487, SD2; 495, SD1; 489, SD1; 149, SD1; 146; 102; 142; 123; 1681, SD2; 1662; 1642, SD1; 2101, SD1; 2102, SD2; 1629, SD1; 1625, SD1; 1622; 1554, SD1; 1534, SD1; 1507, SD2; 1497, SD2; 1496, SD2; 1486, SD1; 1684, SD2; 1691, SD2; 1692, SD1;

1693, SD1; 1695, SD2; 1697, SD1; 1699, SD1; 1713, SD1; 1720, SD1; 1722, SD1; 1726, SD1; 1811, SD1; 1840, SD2; 1859, SD1; 1912, SD2; 1936, SD1; 1942, SD1; 1947, SD2; 1952, SD1; 2099, SD2; 891, SD2; 878, SD2; 868, SD2; 831, SD1; 816, SD1; 815, SD2; 789, SD1; 734, SD1; 788; 701, SD2; 665, SD1; 656, SD2; 653, SD1; 648, SD1; 646, SD1; 643, SD1; 639, SD1; 637, SD2; 636, SD1; 601, SD1; 600, SD1; 1441, SD1; 375, SD1; 486; 65, SD1; 397, SD2; 399, SD1; 400, SD1; 418, SD2; 422, SD2; 426, SD1; 532; 528, SD1; 526, SD1; 535, SD1; 365, SD2; 362, SD2; 354, SD1; 335, SD2; 299, SD1; 1280, SD1; 1096, SD1; 1050, SD2; 997, SD1; 1229, SD2; 1020, SD1; 991, SD1; 1025, SD1; 972, SD2; 931, SD2; 1449; 1447, SD1; 1150, SD1; 1223, SD1; 1232, SD1; 1359, SD1; 1324, SD1; 121, SD1; 1298, SD1; 1287, SD1; 1286, SD1; 1472, SD2; 536, SD2; 539, SD2; 547, SD1; 552, SD2; 557, SD1; 578, SD2; 590; 591; 596, SD1; 598, SD1; 599, SD1; 258, SD2; 167, SD1; 163, SD1; 118, SD1; 101, SD1; 73, SD1; 67, SD1; 66, SD1; 55, SD1; 50, SD1; 46; 4, SD2; 508, SD1; 464; 454; 456; 455; 457; 458; 459; 460; 461; 463; 462 passed First Reading by title and further action was deferred.

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

Representative Kiyabu introduced the wife of the mayor of Nago, Okinawa: Mrs. Masako Toguchi, who was accompanied by Mrs. Louise Tamashiro and Mrs. Ellen Konishi.

Representative Chun introduced the officers of Honolulu Community College student body: Mr. Brian Young, President of the Associated Students of Honolulu Community College; Mr. Bruce Williams, Senator; Mr. Jeffrey Cotton, Senator; and Miss Betty Christian, Senator.

Representative Takitani introduced Mr. Ed Takaki and two friends from Florida: Ed Brown and Cathy Smith.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Tungpalan, for the Committee on Culture and Arts, presented a report (Stand. Com. Rep. No. 758) recommending that H.R. No. 317, as amended in HD1,

be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative D. Hagino and carried, the report of the Committee was adopted and H.R. No. 317, HD1 entitled: "HOUSE RESOLUTION CONCERNING LITERARY, MUSICAL, AND ARTISTIC DONATIONS TO LIBRARIES", was referred to the Committee on Finance.

Representative Tungpalan, for the Committee on Culture and Arts, presented a report (Stand. Com. Rep. No. 759) recommending that H.C.R. No. 123, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative D. Hagino and carried, the report of the Committee was adopted and H.C.R. No. 123, HD1 entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING LITERARY, MUSICAL, AND ARTISTIC DONATIONS TO LIBRARIES", was referred to the Committee on Finance.

Representative Tungpalan, for the Committee on Culture and Arts, presented a report (Stand. Com. Rep. No. 760) recommending that H.R. No. 274 be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative D. Hagino and carried, the report of the Committee was adopted and H.R. No. 274 entitled: "HOUSE RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO DEVELOP A LONG-RANGE PLAN RELATING TO HISTORY AND THE HUMANITIES", was referred to the Committee on Finance.

At 11:44 o'clock a.m., at the request of Representative Ige, the Chair declared a recess, subject to the call of the Chair.

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

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 761) recommending that H.R. No. 53 be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative

Honda and carried, the report of the Committee was adopted and H.R. No. 53 entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON EMPLOYEE RENTAL HOUSING PROGRAMS", was referred to the Committee on Finance.

Representatives Shito and Blair, for the Committees on Housing and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 762) recommending that H.R. No. 144 be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Blair and carried, the joint report of the Committees was adopted and H.R. No. 144 entitled: "HOUSE RESOLUTION REQUESTING THE REAL ESTATE COMMISSION TO SUBMIT A REPORT ON THE STATUS OF ACT 189 PASSED BY THE 1980 LEGISLATURE", was referred to the Committee on Finance.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 763) recommending that H.C.R. No. 178 be adopted.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.C.R. No. 178 entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE PRESIDENT OF THE UNITED STATES OF AMERICA TO APPOINT THE NINE MEMBERS OF THE NATIVE HAWAIIAN STUDY COMMISSION AND TO CALL THEIR FIRST MEETING FOR THE PURPOSES OF FULFILLING THE MANDATES OF P.L. 96-565", was adopted.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 764) recommending that H.R. No. 425 be adopted.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 425 entitled: "HOUSE RESOLUTION RESPECTFULLY REQUESTING THE PRESIDENT OF THE UNITED STATES OF AMERICA TO APPOINT THE NINE MEMBERS OF THE NATIVE HAWAIIAN STUDY COMMISSION AND TO CALL THEIR FIRST MEETING FOR THE PURPOSES OF FULFILLING THE MANDATES OF P.L. 96-565", was adopted.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 436 to 442) were read by the Clerk and disposed of as follows:

A resolution (H.R. No. 436) commending Edwin H. Bryan, Jr. was jointly offered by Representatives Albano, Waihee, Nakasato, Narvaes, Aki, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Honda, Ige, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Okamura, Sakamoto, Say, Segawa, Stanley, Takamine, Takitani, Taniguchi, Wong and Yamada.

Representative Albano moved that the resolution be adopted, seconded by Representative Waihee.

Representative Albano rose and stated:

"Mr. Speaker, Mr. Edwin H. Bryan, Jr. was born in Philadelphia, Pennsylvania in 1898 and moved to Hawaii in 1916. Mr. Bryan had been involved with the Bishop Museum as an entomologist since 1919 and has devoted most of his life to studies in biology and entomology throughout the world. He has taught at the University of Hawaii and Kamehameha Schools and served as a reserve officer in the United States army.

Among his great achievements is having established the Pacific Scientific Information Center of which he is presently managing. Mr. Bryan is also the author of several books and pamphlets on the Pacific and other scientific studies.

Truly, Mr. Bryan had done so much in public service for the people of Hawaii which has made Hawaii a better place to live in. Mr. Speaker, we hear many people say, "lucky you came Hawaii." May I say, "Hawaii lucky, Mr. Bryan came Hawaii."

The motion was put by the Chair and carried, and H.B. No. 436 was adopted.

At this time, Representative Nakasato presented the resolution

to the honoree, Representative Waihee presented a lei to Mrs. Bryan and Representative Hashimoto presented a lei to Mr. Bryan.

At 11:54 o'clock a.m., the Chair declared a recess for the purpose of extending personal aloha to the honoree, subject to the call of the Chair.

The House of Representatives reconvened at 12:03 o'clock p.m.

A resolution (H.R. No. 437) congratulating Master Sergeant Edwin Yoshiaki Nishimura upon his retirement after twenty-nine years of dedicated service with the Hawaii Army National Guard was jointly offered by Representatives Shito, Kiyabu, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Shito, seconded by Representative Taniguchi and carried, H.R. No. 437 was adopted.

A resolution (H.R. No. 438) commending the Kauai county senior legislative group for its energy, dedication, and effectiveness in representing and advocating the needs and concerns of citizens of all age groups on Kauai was jointly offered by Representatives Kawakami, Kunimura, Yamada, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kihano, Kiyabu, Kobayashi, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakasato, Narvaes, Okamura, Sakamoto, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Wong.

On motion by Representative Yamada, seconded by Representative Waihee and carried, H.R. No. 438 was adopted.

A resolution (H.R. No. 439) congratulating Antone S. "Tony" Silva for being

chosen the "Outstanding Hawaii Farm Bureau Federation Member for 1980" and commending him for his community service was jointly offered by Representatives Kawakami, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakasato, Narvaes, Okamura, Sakamoto, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Yamada, seconded by Representative Takamine and carried, H.R. No. 439 was adopted.

A resolution (H.R. No. 440) commemorating the sister chamber agreement between the Hiroshima Chamber of Commerce and Industry and the Honolulu Japanese Chamber of Commerce was jointly offered by Representatives Morioka, Segawa, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Takamine, seconded by Representative Blair and carried, H.R. No. 440 was adopted.

A resolution (H.R. No. 441) commemorating the thirtieth anniversary of Honokaa Hospital and commending the doctors, hospital staff, founders, and community on this occasion was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Takamine, seconded by Representative Matsuura and carried, H.R. No. 441 was

adopted.

A resolution (H.R. No. 442) honoring Mr. Yukio Nishimoto upon his retirement and commending him for his many outstanding contributions to the state of Hawaii was jointly offered by Representatives Takamine, Levin, Matsuura, Segawa, Peters, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Liu, Marumoto, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Takamine, seconded by Representative Levin and carried, H.R. No. 442 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 443 to 445) and concurrent resolutions (H.C.R. Nos. 183 to 185) were referred to the Committee on Legislative Management and further action was deferred.

A resolution (H.R. No. 443) requesting implementation in North Kohala, Hawaii, of the provisions of Article 18, Chapter 8, Hawaii County Code, relating to intensive agricultural districts was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

A resolution (H.R. No. 444) urging the Board of Land and Natural Resources to give serious consideration to the acquisition of land for the cultivation of feed crops for Hawaii's livestock industry was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes,

Okamura, Sakamoto, Say, Segawa, Shito, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

A resolution (H.R. No. 445) urging the assessment of Paauilo, Hawaii, as a site for the establishment of an agricultural park was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

A concurrent resolution (H.C.R. No. 183) requesting a more expeditious and economical procedure in dealing with congratulatory resolutions was jointly offered by Representatives Morioka, Albano, Andrews, Baker, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Lacy, Levin, Nakasato, Okamura, Sakamoto, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Wong and Yamada.

A concurrent resolution (H.C.R. No. 184) requesting a joint interim committee to determine how the

growing numbers of bills and resolutions might be resolved was jointly offered by Representatives Morioka, Albano, Andrews, Baker, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Lacy, Levin, Nakasato, Okamura, Sakamoto, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Wong and Yamada.

A concurrent resolution (H.C.R. No. 185) urging the Board of Land and Natural Resources to give serious consideration to the acquisition of land for the cultivation of feed crops for Hawaii's livestock industry was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, March 20, 1981.

THIRTY-SEVENTH DAY

Friday, March 20, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Terrence Watanabe of Our Lady of Good Counsel, after which the Roll was called showing all members present with the exception of Representatives Dods, Kamali'i and Kawakami, who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Twenty-Eighth and Thirtieth Days.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, reading of the Journals was dispensed with and the Journals of the Twenty-Eighth and Thirtieth Days were approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 250 to 252) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 250) transmitting Senate Concurrent Resolution No. 49, fostering patriotism and closer relationships between the military and civilian communities through the use of the possessive pronoun "our" when referring to our American military by our civilian community, which was adopted by the Senate on March 19, 1981, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, S.C.R. No. 49 was adopted.

A communication from the Senate (Sen. Com. No. 251) returning House Concurrent Resolution No. 182, which was adopted by the Senate on March 19, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 252) transmitting Senate Bill No. 356, SD 3, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE", which passed Third Reading in the Senate on March 18, 1981, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlfing

and carried, S.B. No. 356, SD 3, passed First Reading by title and further action was deferred.

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

Representative Monahan introduced the Maui High School Tennis Team. They were accompanied by their coach, Wendy Villanueva, and her husband, Tom.

Representative Levin introduced Mr. Angelo Cagaoan from the Big Island, "a veteran of the armed services as well as a veteran of numerous political battles, and a loyal and good friend."

Representative Hashimoto introduced 77 fourth grade students from Waiiau Elementary School. They were accompanied by their teachers, Mrs. Cornuelle, Mrs. Okimoto, and Mrs. Shimabukuro, and a parent, Mrs. Kimura.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 413 to 423) and concurrent resolution (H.C.R. No. 177) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
413	Committee on Public Assistance and Human Services, then to the Committee on Finance
414	Jointly to the Committees on Public Assistance and Human Services and Health, then to the Committee on Finance
415	Jointly to the Committees on Public Assistance and Human Services and Health, then to the Committee on Finance
416	Jointly to the Committees on Public Assistance and Human Services and Health, then to the Committee on Finance
417	Jointly to the Committees on Judiciary and Public Assistance and Human Services, then to the Committee on Finance
418	Jointly to the Committees on Public Assistance and Human Services and Health, then to the Committee on Finance

- 419 Jointly to the Committees on Public Assistance and Human Services and Health, then to the Committee on Legislative Management
- 420 Jointly to the Committees on Health and Education, then to the Committee on Finance
- 421 Committee on Agriculture, then to the Committee on Finance
- 422 Committee on Consumer Protection and Commerce
- 423 Committee on Public Employment and Government Operations, then to the Committee on Finance

H.C.R. No.

- 177 Jointly to the Committees on Public Assistance and Human Services and Health, then to the Committee on Legislative Management

COMMITTEE REASSIGNMENTS

The following resolutions were re-referred as follows:

H.R. Nos. Re-referred to:

- 414 Jointly to the Committees on Public Assistance and Human Services; Health; and Youth and Elderly Affairs, then to the Committee on Finance
- 416 Jointly to the Committees on Public Assistance and Human Services; Health; and Youth and Elderly Affairs, then to the Committee on Finance
- 418 Jointly to the Committees on Public Assistance and Human Services; Health; and Youth and Elderly Affairs, then to the Committee on Finance
- 420 Jointly to the Committees on Health; Education; and Youth and Elderly Affairs, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 765) recommending that H.C.R. No. 36 be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Shito and carried, the report of the Committee was adopted and H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF IN-SERVICE

TRAINING PROGRAMS OF THE DEPARTMENT OF EDUCATION", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 766) recommending that H.R. No. 153, as amended in HD 1, be adopted.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 153, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII TO RECOGNIZE APRIL, 1981 AS CANCER CONTROL MONTH", was adopted.

At this time, the Chair directed the Clerk to note the presence of Representative Kawakami.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. No. 453) and concurrent resolution (H.C.R. No. 189) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 453) honoring Mr. Yoshio Inouye on the occasion of his being conferred the Sixth Order of the Sacred Treasure by the Emperor of Japan for meritorious service in the field of Japanese language education, and for contributing to the promotion of goodwill, friendship, and better understanding between Japan and the United States of America was jointly offered by Representatives Kunimura, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, H.R. No. 453 was adopted.

A concurrent resolution (H.C.R. No. 189) urging Hawaii's participation in Portopia '81 in Kobe, Japan was jointly offered by Representatives Kunimura, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi,

Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Morioka, seconded by Representative Kiyabu and carried, H.C.R. No. 189 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 446 to 452) and concurrent resolutions (H.C.R. Nos. 186 to 188) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 446) requesting an update of the Department of Education management audit was jointly offered by Representatives Monahan, Toguchi, Anderson and Isbell.

A resolution (H.R. No. 447) requesting a feasibility and cost study of establishing "911" emergency telephone service on the island of Hawaii was jointly offered by Representatives Levin, Blair, Hirono, Isbell, Matsuura, Segawa and Takamine.

A resolution (H.R. No. 448) requesting a study on establishing a Master of Science degree program in agricultural economics at Hilo College, Hawaii was jointly offered by Representatives Levin, Aki, Isbell, Matsuura, Segawa and Takamine.

A resolution (H.R. No. 449) requesting the Chief Justice of the Supreme Court of the State of Hawaii to amend the Hawaii Rules of Penal Procedure was jointly offered by Representatives Nakamura, Baker, Chun, Hirono, Ikeda, Liu, Taniguchi and Waihee.

A resolution (H.R. No. 450) declaring the month of March, 1981 to be Nutrition Month in Hawaii, and recognizing the efforts of the Hawaii Dietetic Association was jointly offered by Representatives Kiyabu, Segawa, Aki, Albano, Anderson, Andrews, Baker, Chun, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kawakami, Kihano, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakasato, Narvaes, Okamura, Sakamoto, Say, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

A resolution (H.R. No. 451) requesting that an examination of the exchange of jurisdiction over appropriate state

and county parks be included in the state-city joint evaluation of responsibilities for public parks was jointly offered by Representatives Sakamoto, Fukunaga and Hirono.

A resolution (H.R. No. 452) requesting the approval and funding of the employment security automation proposal of the Hawaii State Department of Labor and Industrial Relations was jointly offered by Representatives D. Hagino, Albano, Anderson, Andrews, de Heer, Dods, Kiyabu, Marumoto, Medeiros, Nakasato, Say, Takitani, Taniguchi, Tungpalan and Waihee.

A concurrent resolution (H.C.R. No. 186) requesting an update of the Department of Education management audit was jointly offered by Representatives Monahan, Toguchi, Anderson and Isbell.

A concurrent resolution (H.C.R. No. 187) requesting the Chief Justice of the Supreme Court of the State of Hawaii to amend the Hawaii Rules of Penal Procedure was jointly offered by Representatives Nakamura, Baker, Chun, Hirono, Ikeda, Liu, Taniguchi and Waihee.

A concurrent resolution (H.C.R. No. 188) declaring the month of March, 1981 to be Nutrition Month in Hawaii, and recognizing the efforts of the Hawaii Dietetic Association was jointly offered by Representatives Kiyabu, Segawa, Aki, Anderson, Andrews, Baker, Chun, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Ige, Isbell, Kawakami, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakasato, Narvaes, Okamura, Sakamoto, Say, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK

Representative Blair moved that the House agree to the amendments made by the Senate to House Concurrent Resolution No. 79, HD 1, seconded by Representative Hirono and carried.

At 11:45 o'clock a.m., Representative Rohlfing asked for a recess and the Chair declared a recess, subject to the call of the Chair.

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

Representative Blair moved that H.C.R. No. 79, HD 1, SD 1, be adopted, seconded by Representative Hirono and carried, and H.C.R. No. 79, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION

REQUESTING THAT THE FEDERAL GOVERNMENT AND THE STATE OF HAWAII PERMIT THE BURNING OF 2% SULFUR FUEL OIL AT HAWAIIAN ELECTRIC COMPANY'S KAHE POWER PLANT", was adopted.

ADJOURNMENT

At 11:48 o'clock a.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Monday, March 23, 1981.

THIRTY-EIGHTH DAY

Monday, March 23, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Mrs. Alejandra Dusseault representing Koolaupoko Baha'i Community Church, after which the Roll was called showing all members present with the exception of Representatives Levin and Waihee, who were excused.

By unanimous consent, reading of the Journal was deferred.

DEPARTMENTAL COMMUNICATION

A communication from Durward Long, Chancellor, University of Hawaii, (Dept. Com. No. 6) acknowledging receipt of the certificate and a copy of H.R. No. 342, was read by the Clerk and was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 2 to 20) were read by the Clerk and disposed of as follows:

A communication from Cherry Matano, Administrative Assistant to Senator Matsunaga, (Misc. Com. No. 2) acknowledging receipt of a copy of H.R. No. 95, was placed on file.

A communication from Daniel K. Inouye, United States Senator, (Misc. Com. No. 3) acknowledging receipt of a copy of H.R. No. 95, was placed on file.

A communication from Cherry Matano, Administrative Assistant to Senator Matsunaga, (Misc. Com. No. 4) acknowledging receipt of a copy of H.R. No. 87, was placed on file.

A communication from Spark Matsunaga, United States Senator, (Misc. Com. No. 5) acknowledging receipt of a copy of H.R. No. 87, was placed on file.

A communication from Laurie

A. Loomis, Legislative Assistant to Senator Daniel K. Inouye, (Misc. Com. No. 6) acknowledging receipt of a copy of H.R. No. 87, was placed on file.

A communication from Koshin Ohtani, Monshu, Honpa Hongwanji, (Misc. Com. No. 7) acknowledging receipt of a copy of H.R. No. 195, was placed on file.

A communication from Hikaru Kamei, Governor of Fukuoka Prefecture, Japan, (Misc. Com. No. 8) acknowledging receipt of a copy of S.C.R. No. 2, was placed on file.

A communication from Cherry Matano, Administrative Assistant to Senator Matsunaga, (Misc. Com. No. 9) acknowledging receipt of a copy of H.R. No. 22, was placed on file.

A communication from Daniel K. Inouye, Senator, (Misc. Com. No. 10) acknowledging receipt of a copy of H.R. No. 25, was placed on file.

A communication from Cherry Matano, administrative assistant to Senator Matsunaga, (Misc. Com. No. 11) acknowledging receipt of a copy of H.R. No. 25, was placed on file.

A communication from Daniel K. Inouye, United States Senator, (Misc. Com. No. 12) acknowledging receipt of a copy of H.R. No. 22, was placed on file.

A communication from E. Creutz, Director, Bishop Museum (Misc. Com. No. 13) acknowledging receipt of H.R. No. 395, was placed on file.

A communication from Cherry Matano, Administrative Assistant to Senator Matsunaga, (Misc. Com. No. 14) acknowledging receipt of copies of H.R. No. 57 and H.C.R. No. 3, was placed on file.

A communication from Cherry Matano, Administrative Assistant to Senator Matsunaga, (Misc. Com. No. 15) acknowledging receipt of H.R. No. 341, was placed on file.

A communication from Daniel

K. Inouye, United States Senator, (Misc. Com. No. 16) acknowledging receipt of a copy of H.R. No. 341, was placed on file.

A communication from Joe Garcia, (Misc. Com. No. 17) acknowledging receipt of a copy of H.R. No. 342, was placed on file.

A communication from Alexander Bolton, Vice President, Matson Navigation Company, (Misc. Com. No. 18) acknowledging receipt of a copy of H.R. No. 16, was placed on file.

A communication from Spark Matsunaga, United States Senator, (Misc. Com. No. 19) acknowledging receipt of a copy of H.R. No. 57, was placed on file.

A communication from Daniel K. Inouye, United States Senator, (Misc. Com. No. 20) acknowledging receipt of a copy of H.R. No. 57, was placed on file.

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

Representative Kobayashi introduced the daughter of Representative Kiyabu: Bliss Kiyabu.

Representative Takamine introduced Ruth Walker, the principal of Keaukaha School.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 454 and 460) were read by the Clerk and disposed of as follows:

A resolution (H.R. No. 454) extending warmest congratulations and appreciation by the Hawaii House of Representatives to Lloyd Nakama for his outstanding dedication and contributions to golf in Hawaii, notably in improving the participation and golfing skills of Hawaii's youth was jointly offered by Representatives Medeiros, Anderson, Sakamoto, Aki, Albano, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Monahan, Morioka, Nakamura, Nakasato,

Narvaes, Okamura, Rohlfing, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Medeiros, seconded by Representative Anderson and carried, H.R. No. 454 was adopted.

Representative Medeiros then stated: "Mr. Speaker, I would like to say that if we were to scan the dictionary to look for a word to describe this gentleman, it would be very hard for us to do it. This gentleman has devoted so many hours for the youth of today, towards the game of golf, and has kept many, many of our youth on the golf course instead of the street and I appreciate this very, very much. And if the word we are looking for can't be found, a proper word would be "super", for he is a super gentleman."

At this time, Representative Ikeda presented Mr. Nakama with a lei, Representative Wong presented a lei to Mrs. Nakama and Representative Medeiros presented the certificate.

At 11:45 o'clock a.m., the Chair declared a recess for the purpose of extending the personal aloha and gratitude of the members of the House, subject to the call of the Chair.

The House of Representatives reconvened at 11:50 o'clock a.m.

A resolution (H.R. No. 460) commending the Dole Company for opening summer jobs to local teenage workers was jointly offered by Representatives D. Hagino, Takitani, Albano, Honda, Aki, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Takamine, Taniguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative D. Hagino, seconded by Representative Takitani and carried, H.R. No. 460 was adopted.

By unanimous consent, the

following resolutions (H.R. Nos. 455 to 459) and concurrent resolutions (H.C.R. Nos. 190 to 192) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 455) encouraging the donation of surplus food products was jointly offered by Representatives Waihee, Nakamura, Yamada, Chun, Baker, Dods, Hashimoto, Hirono, Honda, Ikeda, Kawakami, Liu, Medeiros, Shito and Takitani.

A resolution (H.R. No. 456) requesting the legislative reference bureau to conduct a survey of other state's "good samaritan" statutes, and to report their findings to the 1982 legislative session was jointly offered by Representatives Waihee, Nakamura, Yamada, Baker, Chun, Dods, Hashimoto, Hirono, Honda, Ikeda, Kawakami, Liu, Medeiros, Shito and Takitani.

A resolution (H.R. No. 457) requesting a report from the Department of Social Services and Housing on the status of its proposed new rules concerning child care was jointly offered by Representatives Fukunaga, Aki, Andrews, Baker, Chun, de Heer, Dods, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

A resolution (H.R. No. 458) requesting the Department of Social Services and Housing to report of the status of the state advisory committee on day care services was jointly offered by Representatives Fukunaga, Aki, Albano, Andrews, Blair, Chun, de Heer, Dods, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda,

Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

A resolution (H.R. No. 459) requesting the Department of Transportation to plan greater emphasis on bikeway planning, designing and construction in its reorganization plan was jointly offered by Representatives Dods, Albano, Anderson, de Heer, Ikeda, Kiyabu, Marumoto, Tungpalan and Waihee.

A concurrent resolution (H.C.R. No. 190) encouraging the donation of surplus food products was jointly offered by Representatives Waihee, Nakamura, Yamada, Baker, Chun, Dods, Hashimoto, Hirono, Honda, Ikeda, Kawakami, Liu, Medeiros, Shito and Takitani.

A concurrent resolution (H.C.R. No. 191) requesting the legislative reference bureau to conduct a survey of other state's "good samaritan" statutes, and to report their findings to the 1982 legislative session was jointly offered by Representatives Waihee, Nakamura, Yamada, Baker, Chun, Dods, Hashimoto, Hirono, Honda, Ikeda, Kawakami, Liu, Medeiros, Shito and Takitani.

A concurrent resolution (H.C.R. No. 192) requesting a study to determine the changes to the executive budget process necessary to summarize the executive budget documents was offered by Representative Andrews.

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, March 24, 1981.

THIRTY-NINTH DAY

Tuesday, March 24, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Frank Chong of the Waikiki Health Center, after which the Roll was called showing all members present with the exception of Representatives Anderson, Fukunaga, Levin and Sakamoto, who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Thirty-First and Thirty-Second Days.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, reading of the Journals was dispensed with and the Journals of the Thirty-First and Thirty-Second Days were approved.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 253) returning House Concurrent Resolution No. 189, which was adopted by the Senate on March 23, 1981, was read by the Clerk and was placed on file.

At this time, Representative Kiyabu introduced to the members of the House Ronald Ver, "a first grader at Liholiho Elementary School, and a very young budding artist. He has his art work displayed in my office." He was accompanied by his sister, Susan, a fifth grader at Liholiho Elementary School, and his father, Mr. Bob Ver.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
4	Committee on Judiciary, then to the Committee on Finance
43	Committee on Health, then to the Committee on Judiciary
46	Committee on Finance

48	Committee on Judiciary
50	Jointly to the Committees on Youth and Elderly Affairs; Consumer Protection and Commerce; and Judiciary, then to the Committee on Finance
55	Jointly to the Committee on Housing and Water, Land Use, Development and Hawaiian Affairs
65	Committee on Judiciary
66	Committee on Consumer Protection and Commerce, then to the Committee on Finance
67	Committee on Consumer Protection and Commerce
73	Committee on Consumer Protection and Commerce
74	Committee on Judiciary, then to the Committee on Finance
101	Committee on Water, Land Use, Development and Hawaiian Affairs
102	Committee on Public Employment and Government Operations, then to the Committee on Finance
113	Jointly to the Committees on Corrections and Rehabilitation and Judiciary
118	Jointly to the Committees on Judiciary and Youth and Elderly Affairs
123	Jointly to the Committees on Judiciary and Consumer Protection and Commerce
126	Committee on Judiciary
138	Committee on Judiciary
141	Committee on Judiciary
142	Committee on Judiciary
146	Committee on Public Employment and Government Operations, then to the Committee on Judiciary
149	Committee on Judiciary, then to the Committee on Finance
163	Committee on Judiciary, then to the Committee on Finance
164	Committee on Public Employment and Government Operations, then to the Committee on Judiciary
167	Committee on Education

- 253 Committee on Employment Opportunities and Labor Relations, then to the Committee on Consumer Protection and Commerce
- 258 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 262 Jointly to the Committees on Consumer Protection and Commerce and Transportation, then to the Committee on Finance
- 273 Committee on Education
- 299 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Consumer Protection and Commerce
- 319 Committee on Judiciary
- 320 Committee on Judiciary
- 331 Committee on Transportation, then to the Committee on Consumer Protection and Commerce
- 332 Committee on Transportation, then to the Committee on Consumer Protection and Commerce
- 334 Jointly to the Committees on Youth and Elderly Affairs; Consumer Protection and Commerce; and Judiciary
- 335 Committee on Finance
- 354 Committee on Health, then to the Committee on Finance
- 362 Committee on Agriculture, then to the Committee on Finance
- 365 Committee on Agriculture, then to the Committee on Finance
- 375 Jointly to the Committees on Consumer Protection and Commerce and Judiciary
- 394 Committee on Consumer Protection and Commerce
- 397 Committee on Transportation, then to the Committee on Finance
- 399 Jointly to the Committees on Youth and Elderly Affairs and Health
- 400 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 417 Committee on Youth and Elderly Affairs, then to the Committee on Judiciary
- 418 Committee on Health, then to the Committee on Judiciary
- 422 Committee on Health, then to the Committee on Finance
- 426 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 445 Committee on Judiciary, then to the Committee on Finance
- 454 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 455 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 456 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 457 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 458 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 459 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 460 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 461 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 462 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 463 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 464 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 486 Committee on Health, then to the Committee on Finance
- 487 Committee on Health, then to the Committee on Judiciary
- 489 Committee on Health, then to the Committee on Judiciary
- 495 Committee on Employment Opportunities and Labor Relations, then to the Committee on Finance

- 499 Jointly to the Committees on Employment Opportunities and Labor Relations and Consumer Protection and Commerce
- 508 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Ocean and Marine Resources, then to the Committee on Finance
- 523 Committee on Consumer Protection and Commerce
- 525 Committee on Consumer Protection and Commerce
- 526 Committee on Consumer Protection and Commerce
- 528 Committee on Consumer Protection and Commerce
- 530 Committee on Consumer Protection and Commerce
- 532 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 535 Committee on Public Assistance and Human Services, then to the Committee on Finance
- 536 Committee on Public Assistance and Human Services, then to the Committee on Finance
- 539 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 547 Committee on Finance
- 552 Committee on Finance
- 557 Committee on Finance
- 567 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 568 Committee on Judiciary, then to the Committee on Finance
- 570 Committee on Judiciary, then to the Committee on Finance
- 572 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 574 Committee on Transportation
- 578 Committee on Transportation, then to the Committee on Finance
- 587 Committee on Consumer Protection and Commerce
- 590 Committee on Consumer Protection and Commerce
- 591 Committee on Consumer Protection and Commerce
- 592 Committee on Consumer Protection and Commerce
- 598 Committee on Consumer Protection and Commerce
- 599 Committee on Consumer Protection and Commerce
- 600 Committee on Consumer Protection and Commerce
- 601 Committee on Consumer Protection and Commerce
- 636 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 637 Committee on Finance
- 639 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 643 Jointly to the Committees on Housing and Consumer Protection and Commerce, then to the Committee on Finance
- 646 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Housing
- 648 Committee on Finance
- 653 Jointly to the Committees on Public Assistance and Human Service and Youth and Elderly Affairs, then to the Committee on Finance
- 656 Committee on Finance
- 665 Jointly to the Committees on Health and Higher Education
- 675 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 701 Committee on Finance
- 734 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 788 Committee on Finance
- 789 Committee on Health, then to the Committee on Finance
- 803 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

- 815 Committee on Housing,
then to the Committee on Finance
- 816 Jointly to the Committees
on Consumer Protection and Commerce
and Water, Land Use, Development
and Hawaiian Affairs
- 831 Committee on Public Employ-
ment and Government Operations,
then to the Committee on Finance
- 856 Committee on Judiciary
- 868 Committee on Consumer
Protection and Commerce
- 878 Jointly to the Committees
on Ocean and Marine Resources and
Transportation, then to the Committee
on Finance
- 884 Committee on Transportation,
then to the Committee on Finance
- 891 Jointly to the Committees
on Higher Education and Agriculture,
then to the Committee on Finance
- 931 Committee on Higher
Education, then to the Committee
on Finance
- 972 Committee on Judiciary,
then to the Committee on Finance
- 979 Jointly to the Committees
on Corrections and Rehabilitation
and Judiciary
- 980 Jointly to the Committees
on Corrections and Rehabilitation
and Judiciary
- 991 Committee on Public Employ-
ment and Government Operations,
then to the Committee on Judiciary
- 995 Committee on Judiciary,
then to the Committee on Finance
- 997 Committee on Judiciary
- 1000 Committee on Judiciary,
then to the Committee on Finance
- 1005 Committee on Judiciary,
then to the Committee on Finance
- 1015 Committee on Youth and
Elderly Affairs, then to the Committee
on Judiciary
- 1020 Committee on Finance
- 1022 Committee on Culture
and the Arts, then to the
Committee on Judiciary
- 1025 Committee on Finance
- 1028 Committee on Judiciary
- 1050 Jointly to the Committees on
Consumer Protection and Commerce
and Youth and Elderly Affairs
- 1053 Committee on Judiciary, then
to the Committee on Finance
- 1069 Committee on Public Employ-
ment and Government Operations,
then to the Committee on Judiciary
- 1071 Jointly to the Committees
on Youth and Elderly Affairs and
Health, then to the Committee on
Judiciary
- 1072 Committee on Youth and
Elderly Affairs, then to the Committee
on Judiciary
- 1095 Committee on Judiciary
- 1096 Committee on Judiciary, then
to the Committee on Finance
- 1111 Committee on Housing, then
to the Committee on Finance
- 1112 Committee on Public Employ-
ment and Government Operations,
then to the Committee on Judiciary
- 1114 Committee on Public Employ-
ment and Government Operations, then
to the Committee on Finance
- 1136 Committee on Judiciary
- 1145 Committee on Judiciary
- 1150 Committee on Energy, Ecology
and Environmental Protection, then
to the Committee on Finance
- 1157 Committee on Judiciary, then
to the Committee on Finance
- 1161 Committee on Public Employ-
ment and Government Operations, then
to the Committee on Finance
- 1163 Committee on Judiciary
- 1223 Jointly to the Committees on
Consumer Protection and Commerce
and Energy, Ecology and Environmental
Protection, then to the Committee on
Finance
- 1229 Committee on Public Employ-
ment and Government Operations, then
to the Committee on Finance
- 1231 Committee on Consumer
Protection and Commerce, then to the
Committee on Finance
- 1280 Committee on Employment

- Opportunities and Labor Relations,
then to the Committee on Finance
- 1286 Committee on Public Employment and Government Operations,
then to the Committee on Finance
- 1287 Committee on Public Employment and Government Operations,
then to the Committee on Finance
- 1298 Committee on Finance
- 1321 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 1324 Committee on Water, Land Use, Development and Hawaiian Affairs
- 1335 Committee on Consumer Protection and Commerce
- 1359 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 1441 Committee on Ocean and Marine Resources, then to the Committee on Finance
- 1447 Committee on Public Employment and Government Operations,
then to the Committee on Finance
- 1449 Committee on Public Employment and Government Operations
- 1471 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Judiciary
- 1472 Committee on Judiciary,
then to the Committee on Finance
- 1476 Committee on Public Employment and Government Operations,
then to the Committee on Finance
- 1486 Committee on Public Employment and Government Operations,
then to the Committee on Finance
- 1496 Committee on Education,
then to the Committee on Finance
- 1497 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 1501 Committee on Judiciary
- 1505 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 1507 Committee on Judiciary,
then to the Committee on Finance
- 1534 Jointly to the Committees on Judiciary and Consumer Protection and Commerce
- 1554 Committee on Agriculture, then to the Committee on Finance
- 1622 Committee on Higher Education,
then to the Committee on Finance
- 1625 Committee on Public Assistance and Human Services, then to the Committee on Finance
- 1627 Committee on Judiciary, then to the Committee on Finance
- 1628 Committee on Transportation,
then to the Committee on Consumer Protection and Commerce
- 1629 Jointly to the Committees on Transportation and Consumer Protection and Commerce
- 1642 Jointly to the Committees on Higher Education and Consumer Protection and Commerce
- 1662 Committee on Education, then to the Committee on Finance
- 1681 Committee on Judiciary, then to the Committee on Finance
- 1684 Committee on Judiciary, then to the Committee on Finance
- 1691 Jointly to the Committees on Health and Consumer Protection and Commerce, then to the Committee on Judiciary
- 1692 Committee on Education, then to the Committee on Finance
- 1693 Committee on Education, then to the Committee on Finance
- 1695 Jointly to the Committees on Education and Public Employment and Government Operations, then to the Committee on Finance
- 1697 Jointly to the Committees on Education and Public Employment and Government Operations, then to the Committee on Finance
- 1699 Committee on Education, then to the Committee on Judiciary
- 1713 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 1720 Committee on Higher Education,
then to the Committee on Finance

- 1722 Committee on Higher Education,
then to the Committee on Finance
- 1726 Jointly to the Committees on
Health and Consumer Protection and
Commerce
- 1746 Jointly to the Committees on
Employment Opportunities and Labor
Relations and Public Employment and
Government Operations, then to the
Committee on Finance
- 1769 Jointly to the Committees
on Youth and Elderly Affairs and
Public Assistance and Human Services,
then to the Committee on Finance
- 1811 Committee on Public
Employment and Government
Operations, then to the Committee
on Finance
- 1814 Committee on Employment
Opportunities and Labor Relations,
then to the Committee on Finance
- 1840 Committee on Public Employ-
ment and Government Operations,
then to the Committee on Finance
- 1859 Committee on Consumer
Protection and Commerce
- 1874 Committee on Judiciary,
then to the Committee on Finance
- 1912 Committee on Housing,
then to the Committee on Finance
- 1925 Committee on Employment
Opportunities and Labor Relations,
then to the Committee on Consumer
Protection and Commerce
- 1936 Committee on Consumer
Protection and Commerce
- 1942 Jointly to the Committees
on Higher Education and Public
Employment and Government
Operations, then to the
Committee on Finance
- 1947 Committee on Consumer
Protection and Commerce
- 1952 Committee on Public Employ-
ment and Government Operations,
then to the Committee on Finance
- 1985 Committee on Transportation
- 2041 Committee on Corrections
and Rehabilitation, then to the
Committee on Finance
- 2056 Committee on Judiciary
- 2068 Committee on Judiciary,

- then to the Committee on Consumer
Protection and Commerce
- 2071 Committee on Judiciary
- 2078 Committee on Judiciary, then
to the Committee on Finance
- 2099 Committee on Water, Land
Use, Development and Hawaiian
Affairs, then to the Committee on
Finance
- 2101 Jointly to the Committees on
Water, Land Use, Development and
Hawaiian Affairs and Ocean and Marine
Resources, then to the Committee on
Finance
- 2102 Jointly to the Committees on
Water, Land Use, Development and
Hawaiian Affairs and Judiciary, then
to the Committee on Finance

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 425 to 431 and 443 to 452) and concurrent resolutions (H.C.R. Nos. 178 to 181 and 183 to 188 and S.C.R. Nos. 33 and 34) were disposed of as follows:

- | <u>H.R. Nos.</u> | <u>Referred to:</u> |
|------------------|--|
| 425 | Committee on Water, Land Use, Development and Hawaiian Affairs |
| 426 | Jointly to the Committees on Employment Opportunities and Labor Relations and Higher Education, then to the Committee on Finance |
| 427 | Committee on Education, then to the Committee on Finance |
| 428 | Committee on Education, then to the Committee on Finance |
| 429 | Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance |
| 430 | Committee on Education |
| 431 | Committee on Education |
| 443 | Committee on Agriculture, then to the Committee on Finance |
| 444 | Jointly to the Committees on Agriculture and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance |
| 445 | Jointly to the Committees |

- on Agriculture and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 446 Committee on Education, then to the Committee on Finance
- 447 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 448 Jointly to the Committees on Higher Education and Agriculture, then to the Committee on Finance
- 449 Committee on Judiciary, then to the Committee on Finance
- 450 Committee on Health
- 451 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 452 Jointly to the Committees on Public Employment and Government Operations and Employment Opportunities and Labor Relations

H.C.R. Nos.

- 178 Committee on Water, Land Use, Development and Hawaiian Affairs
- 179 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 180 Jointly to the Committees on Employment Opportunities and Labor Relations and Higher Education, then to the Committee on Finance
- 181 Committee on Education
- 183 Committee on Legislative Management
- 184 Committee on Legislative Management
- 185 Jointly to the Committees on Agriculture and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 186 Committee on Education, then to the Committee on Finance
- 187 Committee on Judiciary, then to the Committee on Finance
- 188 Committee on Health

S.C.R. Nos.

- 33 Jointly to the Committees on Energy, Ecology and Environmental Protection and Water, Land Use, Development and Hawaiian Affairs
- 34 Jointly to the Committees on Energy, Ecology and Environmental Protection and Water, Land Use, Development and Hawaiian Affairs

COMMITTEE REASSIGNMENTS

The following resolutions (H.R. Nos. 26 and 142) and concurrent resolution (H.C.R. No. 4) were re-referred as follows:

H.R. Nos. Re-referred to:

- 26 Jointly to the Committees on Housing and Consumer Protection and Commerce, then to the Committee on Finance
- 142 Committee on Housing, then to the Committee on Finance

H.C.R. No.

- 4 Jointly to the Committees on Housing and Consumer Protection and Commerce, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representatives Shito and Sakamoto, for the Committees on Housing and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 767) recommending that H.R. No. 349, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Takamine and carried, the joint report of the Committees was adopted and H.R. No. 349, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE EFFECT OF REGULATORY DEVELOPMENT CONDITIONS ON THE PRICE OF HOUSING", was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 768) recommending that H.R. No. 289 be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Honda and carried, the report of the Committee

was adopted and H.R. No. 289, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO INVESTIGATE MEANS TO PERMIT PLANTATION WORKERS TO PURCHASE PUBLIC LANDS UNDERLYING THEIR HOUSING", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 467 to 470) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 467) congratulating Lori Ann Mizumoto for her selection as Queen of the 29th Annual Cherry Blossom Festival was jointly offered by Representatives Tungpalan, Hashimoto, Aki, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ikeda, Isbell, Kawakami, Kihano, Kobayashi, Kunimura, Lacy, Liu, Marumoto, Matsuura, Medeiros, Nakamura, Narvaes, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Waihee, Wong and Yamada.

On motion by Representative Tungpalan, seconded by Representative Hashimoto and carried, H.R. No. 467 was adopted.

At this time, Representative Tungpalan introduced the honoree, Lori Ann Mizumoto, 1981 Cherry Blossom Queen, to the members of the House and audience.

Representative Takitani then presented a white carnation lei to Queen Lori Ann.

A resolution (H.R. No. 468) commending the Honolulu Japanese Junior Chamber of Commerce for its sponsorship of the 29th Cherry Blossom Festival was jointly offered by Representatives Waihee, D. Hagino, Aki, Baker, Chun, Dods, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Lacy, Liu, Marumoto, Matsuura, Medeiros, Nakamura, Okamura, Say, Segawa, Takitani, Toguchi, Tungpalan, Wong and Yamada.

On motion by Representative Waihee, seconded by Representative D. Hagino and carried, H.R. No. 468 was adopted.

Representative Waihee then introduced Mr. Richard Urabe from the Honolulu Jaycees, and Mr. Richard Mirikitani

from California, "who is the 1981 Queen Chairman for the Nisei Week Festival.

Representatives Chun and Tungpalan presented floral leis to Messrs. Urabe and Mirikitani, respectively.

A resolution (H.R. No. 469) welcoming and honoring the 1981 Nisei Week Queen and her court was jointly offered by Representatives Kobayashi, de Heer, D. Hagino, Aki, Baker, Chun, Dods, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Lacy, Liu, Marumoto, Matsuura, Medeiros, Nakamura, Okamura, Say, Segawa, Takitani, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Kobayashi, seconded by Representative de Heer and carried, H.R. No. 469 was adopted.

At this time, Representative Kobayashi introduced Hedy Ann Posey, 1981 Nisei Week Queen, and members of her court, as follows: Sharon Sumi Asato, Judean Akiko Karimoto, Jennifer Mariko Lee, Elaine Emiko Tsutsui, Deborah Ann Yamada and Leslie Kimi Kawai "who was also a princess in the Tournament of Roses."

Representative Okamura then presented Queen Hedy Ann with a red carnation lei, while Representatives Aki, Say, Taniguchi, Nakasato, Toguchi and Matsuura presented floral leis to the members of her court.

Representative Kobayashi then extended best wishes to the honorees.

A resolution (H.R. No. 470) congratulating the first Princess and attendants of the 29th Cherry Blossom Festival Court was jointly offered by Representatives Okamura, Say, D. Hagino, Aki, Baker, Chun, Dods, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Lacy, Liu, Marumoto, Matsuura, Medeiros, Nakamura, Segawa, Takitani, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Okamura, seconded by Representative Say and carried, H.R. No. 470 was adopted.

Representative Okamura then introduced the first Princess, Pamela Fujie Futa, and her attendants: Stanette Shizuko Ibara, Lori Mie Ohinata and Sheri-Ann Mitsue Okamoto; and Judie Hatsue Sakata, Miss Popularity and Congeniality.

Floral (orchid) leis were presented to the first Princess, her attendants, and Miss Popularity and Congeniality by Representatives Albano, de Heer,

Dods, Ige and Kobayashi, respectively.

At 11:55 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal aloha to the Junior Chamber of Commerce and their representatives here, and especially to our very gracious, beautiful honorees this morning."

Upon reconvening at 12:05 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Fukunaga and Levin.

The following resolutions (H.R. Nos. 461 to 463, 471 to 476, 483 and 484) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 461) congratulating the students and coaches representing Kaimuki High School in the 1981 State High School Soccer Tournament was jointly offered by Representatives Kiyabu, Kobayashi, Morioka, Say, Aki, Albano, Anderson, Andrews, Baker, Chun, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kawakami, Kihano, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakasato, Narvaes, Okamura, Sakamoto, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Kiyabu, seconded by Representative Kobayashi and carried, H.R. No. 461 was adopted.

At this time, Representative Kiyabu introduced the following persons: Sirirath Lanpouthakoun and Souvanno Phitchanpheng, team captains; and Mr. Richard Hadama, Principal of Kaimuki High School. "Unfortunately, Mr. Todd Ikehara, the head coach, has joined the Air Force so he is no longer physically on the island."

Representatives Hashimoto, Fukunaga and Stanley then presented floral leis to the honorees, while Representative Kobayashi presented them with certified copies of the resolution.

Representative Kiyabu then asked the other members of the soccer team who were seated in the gallery to stand and be recognized. They were accompanied by their former coach, Mr. Colin Kato.

A resolution (H.R. No. 462) recognizing Dr. Macu Salato for his contributions to the people of

the Pacific was jointly offered by Representatives Rohlfling, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Rohlfling, seconded by Representative Narvaes and carried, H.R. No. 462 was adopted.

Representative Rohlfling then rose and stated:

"Mr. Speaker, on behalf of this honorable body, it's certainly a privilege for me today to welcome our guests and introduce them to you. I think that with the earlier presentations, we have had beauty from the . . . where it originally came from the Far East, in terms of the cherry blossoms, and beauties from California.

I think it is appropriate, too, that we have with us today a beauty and brains from the South Pacific, and I am referring to the distinguished statesman and scholar mentioned in the resolution who has been giving so much to the program at the University, and a program which was on a low level for a while, but has been brought back under the direction of Bob Kiste, and it is an honor for me today to introduce, on behalf of this body, and to everyone here, Taumbua Salato, Dr. Salato's distinguished and beautiful and charming wife, and Dr. Salato."

Representative Rohlfling then asked Dr. Salato and Lady Salato to rise and be recognized.

Representative Waihee presented Lady Salato with a white carnation lei and Representative Marumoto presented Dr. Salato with a red carnation lei while Representative Rohlfling presented the honoree with a certified copy of the resolution.

Representative Rohlfling then said:

"One last comment, Mr. Speaker. As they say in Fiji, 'minaka'."

A resolution (H.R. No. 463) congratulating Tisha Gresham, Miss Leeward 1981 and her Royal Court was jointly offered by Representatives Aki, Peters, Kihano, Shito, Okamura, Hashimoto, Albano, Anderson, Andrews, Baker,

Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakasato, Narvaes, Rohlfling, Sakamoto, Say, Segawa, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Wong.

On motion by Representative Aki, seconded by Representative Shito and carried, H.R. No. 463 was adopted.

Representative Aki then rose and stated:

"Mr. Speaker, today, we are privileged to have with us the 1981 Miss Leeward Scholarship Pageant Queen and her attendants. When I first heard about the results of the Pageant, I was very happy and proud because two of the contestants come from our district, Mr. Speaker. Tisha Gresham lived in Waianae for about five years until she moved to Waipahu last year, and also, Daynin Allosada, the second place participant, is a senior at Nanakuli High School.

Mr. Speaker, the Leeward Pageant has grown into a big event in our community and the entire community and all the contestants are to be congratulated for a job well done."

Representative Aki asked that Representative Okamura "who is also a member of the Jaycees" make the formal introductions whereupon the Chair recognized Representative Okamura who proceeded with the introductions, stating:

"Mr. Speaker and members of the House, in behalf of Representatives Aki, Kihano, Shito, Hashimoto, Tungpalan and yourself, it is with great pleasure that I introduce this year's Miss Leeward 1981 and her court.

Miss Tisha Gresham is a 1980 graduate of Waipahu High School. Tisha is the daughter of Stuart and Alfonsione Gresham. Graduating with honors, her interest range from basketball, to running and music. She also is an active parachutist. Presently at Leeward Community College, Tisha would eventually like to become a high fashion model."

Representative Okamura then presented Tisha Gresham to the members of the House and audience.

Representative Okamura continued:

"The first runner-up in the Miss Leeward Pageant is Miss Aleza Call; second runner-up, Miss Daynin Allosada; Best in Talent Award, Miss Mercy Bartolome; and Miss Jocelyn Cua."

Representative Okamura asked that they all rise and be recognized.

Representative Okamura continued:

"Mr. Speaker, the Leeward Oahu Jaycees, each year since 1977, have been conducting the Miss Leeward Scholarship Pageant. The Pageant provides scholarship awards to the Queen and her court which will be used to further their education and increase their ability to contribute in the affairs of the Leeward community as well as the State.

This year, 1981, commemorates the 5th Annual Miss Leeward Scholarship Pageant. The annual Pageant is a preliminary event leading toward the selection of Miss Hawaii and Miss America."

Representative Okamura then presented Mr. Wayne Oshiro, President of the Leeward Jaycees, and Mr. Wesley Miyashiro, "the hardworking General Chairman for the Miss Leeward Pageant."

Representatives Aki, Kihano, G. Hagino, Nakamura and Shito then presented red carnation leis to Queen Tisha and her attendants while Representatives Hashimoto and Tungpalan presented them with certified copies of the resolution.

Representative Okamura further stated:

"On behalf of this honorable body, I would like to extend our heartfelt congratulations and best wishes to Queen Tisha Gresham and her beautiful court.

Thank you, Mr. Speaker."

At 11:25 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 honorees."

The House of Representatives reconvened at 11:31 o'clock a.m.

A resolution (H.R. No. 471) congratulating and commending Ronald K. Yamanaka for ten years of distinguished service to the Palolo Little League Program was jointly offered by Representatives Morioka, Say, Aki, Albano,

Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Lacy, Levin, Liu, Marumoto, Matsuura, Monahan, Nakamura, Nakasato, Narvaes, Rohlfing, Sakamoto, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Say, seconded by Representative Hirono and carried, H.R. No. 471 was adopted.

A resolution (H.R. No. 472) congratulating and commending Ms. Barbara Neves for ten years of dedicated service to the Palolo Little League Program was jointly offered by Representatives Morioka, Say, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kiyabu, Kobayashi, Lacy, Levin, Liu, Marumoto, Matsuura, Monahan, Nakamura, Nakasato, Narvaes, Rohlfing, Sakamoto, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Say, seconded by Representative Hirono and carried, H.R. No. 472 was adopted.

A resolution (H.R. No. 473) commending Valley Meat Market for its twenty years of support to the Palolo Little League and other sports activities in the Palolo community was jointly offered by Representatives Morioka, Say, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kobayashi, Lacy, Levin, Liu, Marumoto, Matsuura, Monahan, Nakamura, Nakasato, Narvaes, Rohlfing, Sakamoto, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Say, seconded by Representative Hirono and carried, H.R. No. 473 was adopted.

A resolution (H.R. No. 474) commending Yama's Market for its twenty years of support to the Palolo Little League and other sports activities in the Palolo community was jointly offered by Representatives Morioka, Say, Aki, Albano, Anderson, Andrews,

Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kobayashi, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Say, seconded by Representative Hirono and carried, H.R. No. 474 was adopted.

A resolution (H.R. No. 475) congratulating the Pearl City Big League Division Team, winner of the 1980 State and Division I, Western Region, championships was jointly offered by Representatives Tungpalan, Hashimoto, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Waihee, Wong, Yamada and Peters.

On motion by Representative Tungpalan, seconded by Representative Hashimoto and carried, H.R. No. 475 was adopted.

A resolution (H.R. No. 476) congratulating David Oshiro upon his selection as the "Outstanding Young Farmer of the Year for 1980" by the Hawaii Farm Bureau Federation was jointly offered by Representatives Peters, Aki, Albano, Anderson, Andrews, Baker, Chun, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakasato, Narvaes, Okamura, Rohlfing, Say, Segawa, Shito, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Aki, seconded by Representative Takamine and carried, H.R. No. 476 was adopted.

A resolution (H.R. No. 483) recognizing and expressing support for the American Association of Nurserymen's 107th Annual Convention to be held in Hawaii in 1982 was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy,

Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Takamine, seconded by Representative Kawakami and carried, H.R. No. 483 was adopted.

A resolution (H.R. No. 484) congratulating Waimalu Elementary School, Oahu, for winning the 1981 State Recycling Campaign was jointly offered by Representatives Tungpalan, Hashimoto, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Waihee, Wong, Yamada and Peters.

On motion by Representative Tungpalan, seconded by Representative Hashimoto and carried, H.R. No. 484 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 464 to 466 and 477 to 482) and concurrent resolutions (H.C.R. Nos. 193 and 194) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 464) requesting an interim review of the leasing of ocean and marine resources was jointly offered by Representatives Matsuura, Baker, Blair, Fukunaga, G. Hagino, Hashimoto, Hirono, Isbell, Kawakami, Monahan, Morioka, Narvaes, Okamura, Sakamoto and Takamine.

A resolution (H.R. No. 465) requesting the Departments of Agriculture and Health to follow the current DECP pesticide studies and to report the findings and recommendations to the Legislature was jointly offered by Representatives Baker, Isbell, Anderson, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Kiyabu, Marumoto, Matsuura, Monahan, Morioka, Narvaes, Okamura, Sakamoto, Say, Shito, Takamine and Toguchi.

A resolution (H.R. No. 466) requesting the House Committee on Judiciary to study the rape statutes of Hawaii

during the 1981 interim and to make recommendations to the 1982 Legislature was jointly offered by Representatives Tungpalan, Hirono, Fukunaga, Chun, Hashimoto, Kamali'i, Ikeda, Marumoto, Isbell, Aki, Andrews, Baker, de Heer, Dods, D. Hagino, G. Hagino, Honda, Ige, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Liu, Matsuura, Medeiros, Morioka, Nakamura, Narvaes, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Waihee, Wong and Yamada.

A resolution (H.R. No. 477) requesting an examination of the feasibility of establishing energy-agricultural plant plantations in Hawaii was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kiyabu, Matsuura, Monahan, Morioka, Nakasato, Sakamoto, Say, Shito, Taniguchi, Toguchi, Tungpalan and Yamada.

A resolution (H.R. No. 478) relating to a feed production industry in the State of Hawaii was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kiyabu, Matsuura, Monahan, Morioka, Nakasato, Sakamoto, Say, Shito, Taniguchi, Toguchi, Tungpalan and Yamada.

A resolution (H.R. No. 479) requesting the Hawaii Housing Authority to delay demolition of its teacher housing was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Levin, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Okamura, Sakamoto, Say, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan and Yamada.

A resolution (H.R. No. 480) requesting the Board of Land and Natural Resources to enter into long-term leases regarding certain privately owned lands in Waipio Valley, Hawaii was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kihano, Kiyabu, Levin, Liu, Matsuura, Monahan, Morioka, Nakasato, Okamura, Sakamoto, Say, Segawa, Shito, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Yamada.

A resolution (H.R. No. 481) requesting

a joint meeting of State and Hawaii County officials to resolve the problem of "paper roads" in Hawaii County was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kihano, Kiyabu, Levin, Liu, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Okamura, Sakamoto, Say, Segawa, Shito, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Yamada.

A resolution (H.R. No. 482) requesting the Hawaii State Occupational Information Coordinating Committee to develop a Hawaii employment and occupational planning system was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kihano, Kiyabu, Levin, Liu, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Okamura, Sakamoto, Say, Segawa, Shito, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Yamada.

A concurrent resolution (H.C.R. No. 193) requesting the Departments of Agriculture and Health to follow the current DBCP pesticide studies

and to report the findings and recommendations to the Legislature was jointly offered by Representatives Baker, Isbell, Anderson, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Kiyabu, Marumoto, Matsuura, Monahan, Morioka, Narvaes, Okamura, Sakamoto, Say, Shito, Takamine and Toguchi.

A concurrent resolution (H.C.R. No. 194) requesting the Hawaii State Occupational Information Coordinating Committee to develop a Hawaii employment and occupational planning system was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Levin, Liu, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Okamura, Sakamoto, Say, Segawa, Shito, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Yamada.

ADJOURNMENT

At 12:35 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, March 25, 1981.

FORTIETH DAY

Wednesday, March 25, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Kim On Chong representing Mid Pacific Institute, after which the Roll was called showing all members present with the exception of Representatives Kunimura and Toguchi, who were excused.

By unanimous consent, reading of the Journal was deferred.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 254) transmitting Senate Concurrent Resolution No. 55 supporting the concept of sending a delegation of business leaders from Hawaii to Alaska to promote closer ties between the two states which was adopted by the Senate on March 24, 1981, was read by the Clerk and was placed on file.

On motion by Representative Stanley, seconded by Representative Ikeda and carried, S.C.R. No. 55 was adopted.

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

Representative Okamura introduced four national high school judo champions from Japan: Mr. Toru Hamano from Tokai High School; Mr. Kenji Kanemoto from Naruo Kogyo High School; Mr. Hitoshi Okawa from Adachi High School; and Mr. Yuji Ozawa from Imabaru High School. They were accompanied by their instructor, Mr. So Tatano, from Izumo High School. They were accompanied by their hosts, Mr. Henry Kobota, athletic director from Moanalua High School, Mrs. Mae Shiramizu, teacher, and Miss Alma Yonehara, student interpreter.

Representative Kiyabu introduced a first grade artist from Aliiolani School whose art work hangs in his office: Miss Sandra Afuso.

She was accompanied by her mother, Mrs. Katherine Afuso, her sister, Cynthia Afuso and a friend, Jana Ishikawa. Also, in the gallery was Laurie Miyazono, another artist from the first grade of Aliiolani School. She was accompanied by her mother, Mrs. Karen Miyazono, and her father, Mr. Lawrence Miyazono.

Representative Stanley introduced Becky Ishii.

Representative Levin introduced four constituents from the Big Island: Tammy Hirayama, Mel Brian Hirayama, James Hirayama and Kelly Hirayama.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate Bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
356	Jointly to the Committees on Agriculture; Water, Land Use, Development and Hawaiian Affairs; and Ocean and Marine Resources, then to the Committee on Finance
449	Committee on Public Employment and Government Operations
596	Committee on Consumer Protection and Commerce

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 455 to 459) and concurrent resolutions (H.C.R. Nos. 190 to 192) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
455	Committee on Public Assistance and Human Services
456	Committee on Judiciary, then to the Committee on Finance
457	Jointly to the Committees on Public Assistance and Human Services; and Youth and Elderly Affairs, then to the Committee on Finance
458	Jointly to the Committees on Public Assistance and Human Services; and Youth and Elderly Affairs, then to the Committee

on Finance
459 Committee on Transportation

H.C.R. Nos.

190 Committee on Public Assistance and Human Services
191 Committee on Judiciary, then to the Committee on Finance
192 Committee on Finance

COMMITTEE REASSIGNMENTS

The following bills (S.B. Nos. 418, 636, 1359 and 1726) resolutions (H.R. Nos. 78, 143, 37, 38, 339 and 77) and concurrent resolutions (H.C.R. Nos. 20 and 21) were re-referred as follows:

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
418	Jointly to the Committees on Health and Consumer Protection and Commerce
636	Committee on Consumer Protection and Commerce
1359	Committee on Consumer Protection and Commerce
1726	Jointly to the Committees on Consumer Protection and Commerce; and Judiciary

H.R. Nos.

78 Committee on Youth and Elderly Affairs, then to the Committee on Legislative Management
143 Committee on Youth and Elderly Affairs, then to the Committee on Finance
37 Committee on Education, then to the Committee on Legislative Management
38 Committee on Education, then to the Committee on Finance
339 Committee on Energy, Ecology and Environmental Protection, then to the Committee on Legislative Management
77 Committee on Water, Land Use, Development and Hawaiian

Affairs, then to the Committee on Legislative Management

H.C.R. Nos.

20 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Legislative Management
21 Committee on Youth and Elderly Affairs, then to the Committee on Legislative Management

STANDING COMMITTEE REPORTS

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 769) recommending that H.C.R. No. 147, be referred to the Committee on Finance.

On motion by Representative Monahan, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.C.R. No. 147 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE ACQUISITION OF THE BIG BEACH AREA OF MAKENA, MAUI, FOR A STATE PARK", was referred to the Committee on Finance.

Representatives Shito and Blair, for the Committees on Housing and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 770) recommending that H.C.R. No. 4, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Blair and carried, the joint report of the Committees was adopted and H.C.R. No. 4 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON REGULATION OF CONDOMINIUM CONVERSION", was referred to the Committee on Finance.

Representatives Shito and Blair, for the Committees on Housing and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 771) recommending that H.R. No. 26, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Blair

and carried, the joint report of the Committees was adopted and H.R. No. 26, HD1 entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON REGULATION OF CONDOMINIUM CONVERSION", was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 772) recommending that H.R. No. 142 be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Honda and carried, the report of the Committee was adopted and H.R. No. 142 entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO SUBMIT A REPORT ON ITS ACQUISITION OF LAND FOR HOUSING PROJECTS", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 485 to 487 and 496 to 504) and concurrent resolution (H.C.R. No. 199) were read by the Clerk and disposed of as follows:

A resolution (H.R. No. 485) congratulating Wade Oshiro for his achievement of the rank of eagle scout was jointly offered by Representatives Ikeda, Dods, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Fukunaga, D. Hagino, Hashimoto, Hirono, Honda, Isbell, Kamali'i, Kiyabu, Lacy, Levin, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpala, Waihee, Wong and Yamada.

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

Representative Ikeda rose and stated:

"Mr. Speaker, with so much negativism today, it's refreshing and essential that we also recognize the very positive accomplishments of our young people. I am very

pleased and honored this morning to present to this honorable body, on behalf of Representative Dods and myself, Mr. Wade Oshiro."

The motion was put by the Chair and carried, and H.R. No. 485 was adopted.

At this time, Representative Ikeda presented a lei to Wade Oshiro, Representative Marumoto presented a lei to Mr. Fleishman, his scoutmaster, and Representative Dods presented the honoree with the certificate of the resolution.

A resolution (H.R. No. 486) recognizing the outstanding achievements, dedication and abilities of Henry Arakaki Jr. and Randall Arakaki was jointly offered by Representatives Tungpala, Hashimoto, Chun, Okamura, Aki, Albano, Anderson, Andrews, Baker, Blair, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Waihee, Wong, Yamada and Peters.

On motion by Representative Tungpala, seconded by Representative Hashimoto and carried, H.R. No. 486 was adopted.

Representative Tungpala then stated: "Mr. Speaker, on behalf of Representatives Hashimoto, Chun and Okamura, it's indeed a pleasure to have with us today, Henry and Randall Arakaki. These two fine gentlemen are outstanding examples of dedicated student athletes and have brought great pride to their school and their community."

At this time, Representatives Hashimoto and Chun presented leis to the honorees, and Representative Okamura presented the certificate of the resolution.

A resolution (H.R. No. 487) congratulating the "Magnum" cast, producers and Tom Selleck for being the recipients of the people's choice awards was jointly offered by Representatives Kobayashi, Kiyabu, Anderson, Andrews, Baker, Blair, Fukunaga, D. Hagino, Honda, Isbell, Marumoto, Matsuura, Medeiros, Monahan,

Nakasato, Stanley, Takitani, Taniguchi and Wong.

On motion by Representative Kobayashi, seconded by Representative Kiyabu and carried, H.R. No. 487 was adopted.

Representative Kobayashi rose and stated: "I'd like to introduce three individuals who represent the entire cast. The cast is just completing its shooting engagement here in Hawaii and is presently beginning to disperse back to the mainland and their home towns. But we have with us today, Mr. Tom Selleck; the producer, Mr. Rick Weaver; and Mr. John Hillerman.

Mr. Speaker, it should be of note that Hawaii has been host to a string of popular television shows, and perhaps it is not unusual that Hawaii and not outback South Dakota has been the host of these shows. It is gratifying that Hawaii is so selected, but even more gratifying that these shows come out winners. It is extremely unusual that a new television production gets on its first year, within the top ten of popular ranking. This by itself is some achievement. We would hope that this achievement brings with it the kind of success and popularity that has made other shows of Hawaii long term successes. From this body, I hope to extend to the people of Magnum congratulations and best wishes. More importantly, may your successes continue in coming years."

At this time, Representative Chun presented a lei to Tom Selleck, Representative Tungpalan presented a lei to Rich Weaver, and Representative Fukunaga presented a lei to John Hillerman. Representative Kiyabu presented certificates of the resolution to the honorees.

At 11:59 o'clock a.m., the Chair declared a recess for the purpose of extending the personal aloha of the members of the House to the honorees, subject to the call of the Chair.

The House of Representatives reconvened at 12:10 o'clock p.m.

A resolution (H.R. No. 496) recognizing and commending the Hawaii Anthurium Growers Cooperative as an outstanding example of a successful farmers

cooperative and requesting appropriate state and county government agencies to give all possible assistance to enhance agricultural development was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Takamine, seconded by Representative Matsuura and carried, H.R. No. 496 was adopted.

A resolution (H.R. No. 497) commending Arthur Yamamoto and congratulating him upon his selection as a Hawaii recipient of a 1981 Thomas Jefferson Award, and upon his nomination for a 1981 National Thomas Jefferson Award was jointly offered by Representatives D. Hagino, Hirono, Albano, Blair, Chun, de Heer, Fukunaga, G. Hagino, Hashimoto, Ikeda, Kobayashi, Kunimura, Marumoto, Nakasato, Narvaes, Sakamoto, Segawa, Taniguchi, Toguchi and Tungpalan.

On motion by Representative D. Hagino, seconded by Representative Hirono and carried, H.R. No. 497 was adopted.

A resolution (H.R. No. 498) extending congratulations to Mrs. Anita Pereira for her outstanding achievements was jointly offered by Representatives Peters, Aki, Albano, Anderson, Andrews, Blair, Dods, D. Hagino, Hirono, Kihano, Kiyabu, Medeiros, Sakamoto, Segawa, Stanley, Takitani and Taniguchi.

On motion by Representative Aki, seconded by Representative D. Hagino and carried, H.R. No. 498 was adopted.

A resolution (H.R. No. 499) congratulating Meredith "Rip" Riddle upon his retirement from Dillingham Corporation was jointly offered by Representatives Rohlfing, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy,

Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Rohlfing, seconded by Representative Ikeda and carried, H.R. No. 499 was adopted.

A resolution (H.R. No. 500) recognizing Arthur "Art" Soares and commending him for his outstanding community services was jointly offered by Representatives Albano, Waihee, Aki, Andrews, Baker, Chun, de Heer, Dods, D. Hagino, G. Hagino, Hashimoto, Ige, Ikeda, Isbell, Kobayashi, Kunimura, Lacy, Levin, Matsuura, Medeiros, Monahan, Nakasato, Okamura, Sakamoto, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Wong and Yamada.

On motion by Representative Albano, seconded by Representative Waihee and carried, H.R. No. 500 was adopted.

A resolution (H.R. No. 501) recognizing and commending Vernon Martin Souki for his outstanding community services was jointly offered by Representatives Albano, Waihee, Aki, Andrews, Baker, Chun, de Heer, Dods, D. Hagino, G. Hagino, Hashimoto, Ige, Ikeda, Isbell, Kobayashi, Kunimura, Lacy, Levin, Matsuura, Medeiros, Monahan, Nakasato, Okamura, Sakamoto, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Wong and Yamada.

On motion by Representative Albano, seconded by Representative Waihee and carried, H.R. No. 501 was adopted.

A resolution (H.R. No. 502) commending Iris Terashima for reaching the finals of the Thomas Edison-Max McGraw Scholarship competition was jointly offered by Representatives G. Hagino, Aki, Albano, Baker, Blair, Chun, de Heer, Fukunaga, D. Hagino, Hashimoto, Hirono, Honda, Ige, Kawakami, Kobayashi, Kunimura, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Okamura, Sakamoto, Say, Segawa, Stanley, Takamine, Takitani, Toguchi, Tungpalan and Waihee.

On motion by Representative G. Hagino, seconded by Representative Nakamura and carried, H.R. No. 502 was adopted.

A resolution (H.R. No. 503) honoring cartoonist Sharon "Ai-Chan" Aiko Tashima for her valuable services was jointly offered by Representatives G. Hagino, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative G. Hagino, seconded by Representative Nakamura and carried, H.R. No. 503 was adopted.

A resolution (H.R. No. 504) commemorating the one hundred and tenth anniversary of the birth of Prince Jonah Kūhiʻo Kalanianaʻole was jointly offered by Representatives Kamali'i, Waihee, Anderson, Baker, Chun, Fukunaga, Ikeda, Isbell, Lacy, Liu, Marumoto, Medeiros, Monahan, Okamura, Rohlfing, Wong and Peters.

On motion by Representative Kamali'i, seconded by Representative Waihee and carried, H.R. No. 504 was adopted.

A concurrent resolution (H.C.R. No. 199) congratulating the Castle High School Knights for winning the 1981 Oahu Interscholastic Association eastern division and placing third in the state basketball championship was jointly offered by Representatives Wong and Ige.

On motion by Representative Wong, seconded by Representative Ige and carried, H.C.R. No. 199 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 488 to 495) and concurrent resolutions (H.C.R. Nos. 195 to 198) were referred to the Committee on Legislative Management and further action was deferred.

A resolution (H.R. No. 488) requesting the Department of Health to enter into a compact with the western states for the continued use of approved low level nuclear waste disposal sites and to establish a contingency

plan for the proper storage and disposal should these mainland sites no longer be available was jointly offered by Representatives Baker, Aki, Albano, Anderson, Andrews, Blair, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Ikeda, Isbell, Kiyabu, Kobayashi, Marumoto, Matsuura, Monahan, Morioka, Narvaes, Okamura, Say, Segawa, Shito, Takitani, Toguchi and Tungpalan.

A resolution (H.R. No. 489) requesting the legislative auditor to conduct a management audit of the Legal Aid Society of Hawaii was jointly offered by Representatives Kamali'i, Aki, Andrews, de Heer, G. Hagino, Honda, Ikeda, Isbell, Kihano, Liu, Medeiros, Monahan, Nakasato, Rohlfing, Say, Segawa, Shito, Stanley, Toguchi and Wong.

A resolution (H.R. No. 490) urging Hawaii's congressional delegation to oppose the proposed funding reduction of the U.S. export-import bank was jointly offered by Representatives Albano, Waihee, Aki, Baker, Chun, de Heer, Dods, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kawakami, Kobayashi, Kunimura, Levin, Nakasato, Okamura, Sakamoto, Say, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan and Wong.

A resolution (H.R. No. 491) requesting a feasibility study of requiring all school buses to be equipped with communication systems was offered by Representative Andrews.

A resolution (H.R. No. 492) requesting the director of the health to adopt rules and regulations to the conditional release of patients at Waimano Training School and Hospital was jointly offered by Representatives Peters, Aki, Albano, Anderson, Andrews, Dods, D. Hagino, Hirono, Kihano, Kiyabu, Morioka, Sakamoto, Segawa, Stanley, Takitani and Taniguchi.

A resolution (H.R. No. 493) requesting the state land use commission to justify its decision to refuse reclassification of certain lands in Kahului, Maui was jointly offered by Representatives Shito, Honda, Andrews, Takitani, Monahan, Albano, Anderson, Chun, Dods, Hashimoto, Hirono, Ige, Ikeda, Isbell, Kihano, Kobayashi, Lacy, Liu, Marumoto, Morioka, Nakasato, Okamura, Sakamoto, Segawa, Takamine, Tungpalan, Waihee and Wong.

A resolution (H.R. No. 494) requesting

a review of the concept of awarding "good time credits" to incarcerated offenders was jointly offered by Representatives Hirono, Honda, Baker, Chun, de Heer, Hashimoto, Ikeda, Kawakami, Kihano, Levin, Liu, Matsuura, Medeiros, Morioka, Nakamura, Okamura, Shito, Takamine, Taniguchi and Waihee.

A resolution (H.R. No. 495) requesting the cooperation of the judiciary in a study on jurors was jointly offered by Representatives Hirono, Baker, Chun, de Heer, Fukunaga, Hashimoto, Ikeda, Kawakami, Levin, Marumoto, Matsuura, Medeiros, Nakamura, Okamura, Shito, Stanley, Takamine, Taniguchi and Tungpalan.

A concurrent resolution (H.C.R. No. 195) requesting the Department of Health to enter into a compact with the western states for the continued use of approved low level nuclear waste disposal sites and to establish a contingency plan for the proper storage and disposal should these mainland sites no longer be available was jointly offered by Representatives Baker, Aki, Albano, Anderson, Andrews, Blair, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Isbell, Kiyabu, Kobayashi, Marumoto, Matsuura, Monahan, Morioka, Narvaes, Okamura, Say, Segawa, Shito, Takitani, Toguchi and Tungpalan.

A concurrent resolution (H.C.R. No. 196) urging the President of the United States, the United States Congress and the federal reserve board to resolve the problem of inflation through means other than increases in interest rates was jointly offered by Representatives Peters, Aki, Albano, Anderson, Dods, D. Hagino, Hirono, Kihano, Kiyabu, Morioka, Sakamoto, Segawa, Stanley, Takitani and Taniguchi.

A concurrent resolution (H.C.R. No. 197) requesting the cooperation of the judiciary in a study on jurors was jointly offered by Representatives Hirono, Baker, Chun, de Heer, Fukunaga, Hashimoto, Ikeda, Kawakami, Levin, Marumoto, Matsuura, Medeiros, Nakamura, Okamura, Shito, Stanley, Takamine, Taniguchi and Tungpalan.

A concurrent resolution (H.C.R. No. 198) requesting an investigation of the operations of the Honolulu District Office of the United States Immigration and Naturalization Service, Department of Justice, by the Federal Advisory Committee on Immigration and Naturalization

Service was jointly offered by Representatives Kihano, Chun, Andrews, G. Hagino, Honda, Levin, Nakamura, Okamura, Say, Segawa, Shito and Takamine.

At this time, Representative Takitani requested that the 48-hour notice for hearings be waived and the Chair stated:

"So ordered."

Representative Sakamoto requested that the 48-hour notice for hearings be waived on Senate Bills Nos. 299, SD1; 646, SD1; 1471; 2101,

SD2; 508, SD1; 2101, SD1, 101, SD1; 426, SD1; 734, SD1; 803; 1321, SD1; 1324, SD1; 1497, SD2 and 2099, SD2, and the Chair stated:

"So ordered."

ADJOURNMENT

At 12:20 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:30 o'clock a.m., Friday, March 27, 1981.