

FIFTY-SIXTH DAY

Monday, April 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 Vice Speaker presiding.

The Divine Blessing was invoked by Major Kenneth Gibson representing Salvation Army, Divisional Headquarters, after which the Roll was called showing all members present with the exception of Representatives Fukunaga, Kiyabu, Kobayashi, Kunimura, Monahan, Morioka, Nakasato and Rohlfing.

By unanimous consent, reading of the Journal was deferred.

SENATE COMMUNICATIONS

The following communications (Sen. Com. Nos. 619 to 625) were read by the Clerk and disposed of as follows:

A communication from the Senate (Sen. Com. No. 619) informing the House that the Senate had reconsidered its action taken in disagreeing to the amendments made by the House to Senate Bill No. 164, SD1, and has discharged the Managers on the part of the Senate for the consideration of said amendments, was placed on file.

A communication from the Senate (Sen. Com. No. 620) informing the House that the Senate had reconsidered its action taken in disagreeing to the amendments made by the House to Senate Bill No. 856, SD2, and has discharged the Managers on the part of the Senate for the consideration of said amendments, was placed on file.

A communication from the Senate (Sen. Com. No. 621) informing the House that the Senate had reconsidered its action taken in disagreeing to the amendments made by House to Senate Bill No. 1145, SD1, and has discharged the Managers on the part of the Senate for the consideration of said amendments, was placed on file.

A communication from the Senate (Sen. Com. No. 622) informing the House that the Senate had reconsidered its action taken in disagreeing to the amendments made by the House to Senate Bill No. 1150, SD1, and has discharged the Managers on the part of the Senate for the consideration of said amendments, was placed on file.

A communication from the Senate (Sen. Com. No. 623) informing the House that the Senate had reconsidered its action taken in disagreeing to the amendments made by the House to Senate Bill No. 1471, and has discharged the Managers on the part of the Senate for the consideration of said amendments, was placed on file.

A communication from the Senate (Sen. Com. No. 624) transmitting Senate Concurrent Resolution No. 60 requesting a comparative study on condominium laws which was adopted by the Senate on April 16, 1981, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 625) returning House Bill No. 207, HD1 which passed Third Reading in the Senate on April 20, 1981, was placed on file.

At this time, the following introduction was made to the members of the House:

Representative Isbell introduced Mrs. Barbara Lee from Kona, a specialist in constitutional law who currently raises the Hawaiian crow - alala, an endangered species found only on the Big Island.

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 out of order.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 708) was read by the Clerk and disposed of as follows:

A resolution (H.R. No. 708) commending and congratulating the University of Hawaii Hawaiian Dance Ensemble for its dedication to the study and performance of traditional Hawaiian poetry (mele) and dance (hula) was jointly offered by Representatives Ikeda, Kamali'i, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakasato, Narvaes, Okamura, Say, Segawa, Shito, Takamine, Takitani, Toguchi, Tungpalan, Waihee and Wong.

On motion by Representative Ikeda, seconded by Representative Kamali'i and carried, H.R. No. 708 was adopted.

Representative Ikeda rose and introduced the University of Hawaii Dance Ensemble who performed several hula renditions for the members of the House.

Following the performance, Representative Ikeda rose and introduced the chanter, Mrs. Cambra and dancers Sandy Lehua Iwa and Rose Marie Lokelani Chang. Two of the male dancers who did not perform but are part of the ensemble were introduced at this time: Herbert Kelii Lee, a friend of Representative Ikeda and David Kawika Lasner.

At this time, Representatives Medeiros, Kamali'i, Liu, Isbell and Wong presented leis to the honorees, and Representative Ikeda presented certificates of the resolution.

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

The House of Representatives reconvened at 12:02 o'clock p.m.

At this time, the Speaker assumed the rostrum.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

Senate Concurrent Resolution No. 69 was re-referred to the Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance.

House Resolution No. 79 was re-referred to the Committee on Youth and Elderly Affairs, then to the Committee on Finance, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Representative Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1060) recommending that H.R. No. 518 be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 518 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REVIEW THE CURRENT PROCESS OF INITIATING PRIORITIZING, AND FUNDING CAPITAL IMPROVEMENT PROJECT REQUESTS FOR THE PUBLIC SCHOOLS", was referred to the Committee on Finance.

Representative Toguchi, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1061) recommending that H.R. No. 528, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 528, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF MORE EQUITABLY DISTRIBUTING OFF-RATIO TEACHERS TO THE ELEMENTARY AND SECONDARY SCHOOLS TO STRENGTHEN PROGRAMS FOR GIFTED AND TALENTED STUDENTS", was referred to the Committee on Finance.

Representative Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1062) recommending that H.C.R. No. 205, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Say and carried, the report of the Committee was adopted and H.C.R. No. 205, HD1 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF MORE EQUITABLY DISTRIBUTING OFF-RATIO TEACHERS TO THE ELEMENTARY

AND SECONDARY SCHOOLS TO STRENGTHEN PROGRAMS FOR GIFTED AND TALENTED STUDENTS", was referred to the Committee on Finance.

SUSPENSION OF RULES

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

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1063) recommending that S.B. No. 2102, SD2, pass Third Reading.

On motion by Representative G. Hagino, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.B. No. 2102, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF ATTORNEYS", passed Third Reading by a vote of 43 ayes with Representatives Fukunaga, Kiyabu, Kobayashi, Kunimura, Monahan, Morioka, Nakasato and Rohlfing being excused.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1064) recommending that S.B. No. 535, SD1 pass Third Reading.

On motion by Representative G. Hagino, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.B. No. 535, SD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Third Reading by a vote of 43 ayes with Representatives Fukunaga, Kiyabu, Kobayashi, Kunimura, Monahan, Morioka, Nakasato and Rohlfing being excused.

The Chair directed the Clerk to note that S.B. Nos. 2102, SD2 and 535, SD1 had passed Third Reading at 12:04 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1065) recommending that S.B. No. 1053, SD1 pass Third Reading.

On motion by Representative Hashimoto, seconded by Representative Andrews and carried, the report of the Committee was adopted and S.B. No. 1053, SD1 entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Third Reading by a vote of 43 ayes with Representatives Fukunaga, Kiyabu, Kobayashi, Kunimura, Monahan, Morioka, Nakasato and Rohlfing being excused.

The Chair directed the Clerk to note that S.B. No. 1053, SD1 had passed Third Reading at 12:05 o'clock p.m.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1066) recommending that H.R. No. 422 be adopted.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.R. No. 422 entitled: "HOUSE RESOLUTION RELATING TO A FEASIBILITY STUDY FOR INSTALLATION OF TELEPHONE COMMUNICATIONS", was adopted.

Representative Say, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1067) recommending that H.C.R. No. 208 be adopted.

On motion by Representative Say, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.C.R. No. 208 entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO WAIVE NON-IMMIGRANT VISAS FOR TRAVELING FROM CERTAIN NATIONS", was adopted.

Representatives D. Hagino and Sakamoto, for the Committees on Employment Opportunities and Labor Relations; and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1068) recommending that H.R. No. 326, as amended in HD1, be adopted.

On motion by Representative Levin, seconded by Representative Sakamoto and carried, the joint report of the Committees was adopted and H.R. No. 326, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE IDENTIFICATION AND DEVELOPMENT OF NECESSARY TRAINING PROGRAMS TO MEET THE NEEDS OF THE GEOTHERMAL INDUSTRY", was adopted.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1069) recommending that H.R. No. 329 be adopted.

On motion by Representative Marumoto, seconded by Representative Albano and carried, the report of the Committee was adopted and H.R. No. 329 entitled: "HOUSE RESOLUTION REQUESTING A CHANGE IN THE SOCIAL SECURITY LAW REGARDING THE ESTABLISHMENT OF BENEFITS TO HOMEMAKERS", was adopted.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1070) recommending that H.R. No. 278 be adopted.

On motion by Representative Hirono, seconded by Representative Albano and carried, the report of the Committee was adopted and H.R. No. 278 entitled: "HOUSE RESOLUTION REQUESTING EQUAL PAY FOR COMPARABLE WORK", was adopted with Representative Takitani registering a no vote.

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. 1071) recommending that H.R. No. 551 be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Kawakami and carried, the joint report of the Committees was adopted and H.R. No. 551 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE, AND DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROJECT THE AMOUNTS OF LAND NECESSARY FOR AGRICULTURE, CONSERVATION, AND URBAN USES", was referred to the Committee on Finance.

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. 1072) recommending that H.R. No. 507 be referred to the Committee on Legislative Management.

On motion by Representative Sakamoto, seconded by Representative Kawakami and carried, the joint report of

the Committees was adopted and H.R. No. 507 entitled: "HOUSE RESOLUTION REQUESTING AN INTERIM REVIEW AND EVALUATION OF THE GOVERNANCE OF AGRICULTURAL DISTRICTS", was referred to the Committee on Legislative Management.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1073) recommending that H.R. No. 508 be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 508 entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE DEPARTMENT OF TRANSPORTATION'S HAWAII SHORE WATERS REGULATION AND THEIR ENFORCEMENT IN PROTECTING THE PUBLIC HEALTH, SAFETY, AND WELFARE IN OR ON THE SHORE WATERS AND SHORES OF THE STATE", 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. 1074) recommending that H.R. No. 566, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 566, HD1 entitled: "HOUSE RESOLUTION REQUESTING EXPEDITIOUS DEVELOPMENT OF A STATE PARK ON THE FORT ARMSTRONG-KEWALO PENINSULA", 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. 1075) recommending that H.C.R. No. 214, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.C.R. No. 214, HD1 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXPEDITIOUS

DEVELOPMENT OF A STATE PARK ON THE FORT ARMSTRONG-KEWALO PENINSULA", was referred to the Committee on Finance.

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1076) recommending that H.R. No. 611 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.R. No. 611 entitled: "HOUSE RESOLUTION REQUESTING THE STATE DEPARTMENT OF AGRICULTURE TO INITIATE A FEASIBILITY STUDY TOWARDS IMPROVED REGULATION OF THE HAWAII RETAIL FLORIST INDUSTRY", was referred to the Committee on Finance.

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1077) recommending that H.C.R. No. 229 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.C.R. No. 229 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF AGRICULTURE TO INITIATE A FEASIBILITY STUDY TOWARDS IMPROVED REGULATION OF THE HAWAII RETAIL FLORIST INDUSTRY", was referred to the Committee on Finance.

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1078) recommending that H.R. No. 589, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.R. No. 589, HD1 entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE PROBLEM OF CATTLE AND OTHER LIVESTOCK RUSTLING", was referred to the Committee on Finance.

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com.

Rep. No. 1079) recommending that H.C.R. No. 223, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.C.R. No. 223, HD1 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE PROBLEM OF CATTLE AND OTHER LIVESTOCK RUSTLING", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 709 to 711) were read by the Clerk and disposed of as follows:

A resolution (H.R. No. 709) congratulating and commending Mathew Cerizo for his achievements in the sport of swimming was jointly offered by Representatives Takitani, Honda, Andrews, Monahan, Aki, Albano, Anderson, Baker, Chun, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Toguchi, Tungpalan, Wong and Yamada.

On motion by Representative Takitani, seconded by Representative Honda and carried, H.R. No. 709 was adopted.

A resolution (H.R. No. 710) congratulating, commending, and wishing good luck and much success to the award winning DECA students of Aiea High School was jointly offered by Representatives Okamura, Chun, Hashimoto, Tungpalan, Anderson, Andrews, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Ikeda, Kamali'i, Kiyabu, Kobayashi, Kunimura, Lacy, Liu, Marumoto, Matsuura, Medeiros, Nakasato, Sakamoto, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi and Wong.

On motion by Representative Okamura, seconded by Representative Chun and carried, H.R. No. 710 was adopted.

A resolution (H.R. No. 711) in memory of Dorothy Beggs was

jointly offered by Representatives Marumoto, Rohlfing, Anderson, Andrews, Chun, de Heer, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kiyabu, Kobayashi, Kunitamura, Levin, Liu, Matsuura, Medeiros, Monahan, Nakasato, Narvaes, Okamura, Shito, Tungpalan, Waihee and Wong.

On motion by Representative Marumoto, seconded by Representative Kamali'i and carried, H.R. No. 711 was adopted by a rising vote.

At 12: 07 o'clock p.m., at the request of Representative Yamada, the Chair declared a recess, subject to the call of the Chair.

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

RECONSIDERATION OF ACTION TAKEN

Representative Segawa moved that the House reconsider its action taken in disagreeing to the amendments proposed by the Senate in H.B. Nos. 924, HD2, SD1 and 1679, SD1, on April 9, 1981, seconded by Representative Chun and carried.

Representative Segawa then gave notice of his intent to agree with the amendments made by the Senate in H.B. Nos. 924, HD2, SD1, and 1679, SD1.

At 12: 21 o'clock p.m., at the request of Representative Toguchi, the Chair declared a recess, subject to the call of the Chair.

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

Representative Segawa moved that the House reconsider its action taken in disagreeing to the amendments proposed by the Senate in H.B. Nos. 924, HD2, SD1; and 1679, SD1 on April 9, 1981, seconded by Representative Chun and carried.

Representative Segawa then gave notice of his intent to agree with the amendments made by the Senate in H.B. Nos. 924, HD2, SD1; and 1679, SD1 .

Representative Sakamoto moved that the House reconsider its action taken in disagreeing to the amendments proposed by the Senate in H.B. Nos. 66, HD2, SD1; and 721, HD1, SD1, on April 9, 1981, seconded by Representative Okamura and carried.

Representative Sakamoto then gave notice of his intent to agree with the amendments made by the Senate in H.B. Nos. 66, HD2, SD1; and 721, HD1, SD1.

Representative D. Hagino then requested that the 48-hour notice for hearings be waived on H.R. Nos. 646; 658; and 643 and H.C.R. Nos. 234; 236; and 239 and the Chair stated:

"So ordered."

At 12: 38 o'clock p.m., at the request of Representative Waihee, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12: 41 o'clock p.m.

At this time, Representative Isbell introduced Kini Kua'ana, a friend from Kona and an expert on preserving Hawaiian petroglyphs on cloth, who was accompanied by Vivian Fagan.

ADJOURNMENT

At 12: 57 o'clock p.m., on motion by Representative Stanley, seconded by Representative Kamali'i and carried, the House of Representatives adjourned until 11: 30 o'clock a.m., tomorrow, Tuesday, April 21, 1981.

FIFTY-SEVENTH DAY

Tuesday, April 21, 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 Representative Herbert Segawa, after which the Roll was called showing all members present with the exception of Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Sixth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 625-A to 633) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 625-A) transmitting Senate Concurrent Resolution No. 63, SD 1, urging the Department of Health to allow an experiment on the environmental effects of certain water conservation devices, which was adopted by the Senate on April 20, 1981, was placed on file.

By unanimous consent, further action on S.C.R. No. 63 was deferred.

A communication from the Senate (Sen. Com. No. 626) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1765, was adopted by the Senate; and House Bill No. 1765, SD 1, CD 1, passed Final Reading in the Senate on April 20, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 627) informing the House that the amendments proposed by the House to Senate Bill No. 164, SD 1, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed

Final Reading in the Senate on April 20, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 628) informing the House that the amendments proposed by the House to Senate Bill No. 399, SD 1, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 20, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 629) informing the House that the amendments proposed by the House to Senate Bill No. 856, SD 2, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 20, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 630) informing the House that the amendments proposed by the House to Senate Bill No. 1145, SD 1, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 20, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 631) informing the House that the amendments proposed by the House to Senate Bill No. 1471, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 20, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 632) returning House Bill No. 1025, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", which passed Third Reading in the Senate on April 20, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 633) returning House Bill No. 1866, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", which passed Third Reading in the Senate on April 20, 1981, was placed on file.

SUSPENSION OF RULES

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 712 to 714) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 712) commending Edgar A. Jones for his many contributions to the residents of Kaneohe and the people of the State of Hawaii was jointly offered by Representatives Wong, Ige, Anderson, Hashimoto, Honda, Ikeda, Kamali'i, Kiyabu, Liu, Marumoto, Medeiros, Monahan, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Shito and Toguchi.

On motion by Representative Wong, seconded by Representative Ige and carried, H.R. No. 712 was adopted.

Representative Wong then rose to introduce the honoree, stating:

"Mr. Speaker and members of this most honorable body, Ed Jones is a man who has unselfishly given of himself to serve the Windward community and the entire State of Hawaii. He first came to Hawaii in 1927 with the tour of the United States Army in which he served for 28 years, retiring with the honorable rank of Major. Upon his retirement in 1961, he came to live in Kaneohe and has been one of the most dedicated citizens of the community. Mr. Speaker, his dedication to the community is undaunted and his contributions to the people are endless. His diligence has brought about many accomplishments to benefit the community.

Some of the highlights of his retired career include being selected by Congressman Daniel Akaka as Hawaii's congressional representative to the National White House Conference on Aging in Washington, D.C. Another such accomplishment is the organization of the Kaneohe Community Senior Center and the Kaneohe Senior Citizens Council. Mr. Jones was also elected Honorary Mayor of Kaneohe for several years.

Mr. Jones' persistence and responsible leadership has resulted in so much pleasure and fulfillment for so many people. Mr. Jones' energy and sense of pride and humanitarianism is an example to us all.

Mr. Speaker and fellow colleagues, it gives me great honor and pride to introduce our honoree today."

Representative Wong then introduced the honoree, Mr. Ed Jones, to the members of the House and audience.

Representative Kamali'i presented a floral lei to Mr. Jones while Representative Wong presented him with a certified copy of the resolution.

A resolution (H.R. No. 713) commending the Kaneohe Community Senior Citizens Council for its effective management and operation of the Kaneohe Community and Senior Center was jointly offered by Representatives Wong, Ige, Anderson, Hashimoto, Honda, Ikeda, Isbell, Kamali'i, Kiyabu, Liu, Marumoto, Medeiros, Monahan, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Shito and Toguchi.

On motion by Representative Wong, seconded by Representative Ige and carried, H.R. No. 713 was adopted.

Representative Wong then rose and stated:

"Mr. Speaker and members of this honorable body, again, I have great pride in introducing some of our honorees this morning, but before I introduce them, I would just like to say a few words and comments about some of their accomplishments.

One of the great prides of our community is the Kaneohe Senior Citizens Council and the Center which they operate and manage. The Center had its beginning in 1971 when Mr. Ed Jones and an ad hoc committee proposed the use of an abandoned park in Kaneohe as their Center for Kaneohe's active senior citizens because of community concern and the need of a meeting place. Through the past 9 years, that small abandoned park has become transformed into an oasis of activity and fellowship, not only for the seniors, but for, more importantly, the entire Windward community.

Mr. Speaker, the Kaneohe Community and Senior Center has been recognized as a model center. It is the only known senior center managed and operated by the senior citizens themselves on a voluntary basis with only token State and City participation. It is considered outstanding for its many accomplishments in its organization and its variety of classes dealing with the direct needs of the community

and, most of all, for its accomplished leadership and active devoted membership.

As you may well know, Mr. Speaker, no organization can succeed without the dedication of its people and I am very honored today to have several members of the Kaneohe Senior Citizens Council with us."

Representative Wong then introduced the members, as follows: Mr. Ed Jones, Council Chairman; Kauwila Akau, Chairman and Treasurer of the Council; Nani Niderost, Vice Chairman; Charles Stone, Jr., Vice Chairman; Lola Yuen, Secretary; William Tam, Sr., custodian at the Center; and directors, Mr. Elmer Alu, Violet Dedrick, Mr. Guy Aldorts, Maria Kolehua, William Kolehua, Clara Kekahuna, Henry Moku, Mrs. Edna Delos Santos, John Wong and Mrs. Wong, his mother and also Secretary of the Council.

Representatives Ikeda, Anderson, Waihee, Isbell, Monahan, Toguchi, Sakamoto, Chun, Narvaes and Ige presented floral leis to the honorees while Representative Wong presented them with certified copies of the resolution.

A resolution (H.R. No. 714) requesting Hawaii's delegation to the 1981 White House Conference on Aging to participate with resolve was jointly offered by Representatives Kihano, Anderson, Andrews, Chun, Honda, Ige, Ikeda, Nakasato, Say, Segawa, Shito, Takamine and Wong.

On motion by Representative Kihano, seconded by Representative Ige and carried, H.R. No. 714 was adopted.

Representative Kihano then introduced some of the delegates to the White House Conference on Aging, as follows: Mrs. Shimeji Kanazawa, State Coordinator on the White House Conference on Aging, and "I can't add any more to Mrs. Kanazawa's contribution to the aged in our community. I think we have honored her many, many times, and I just want again for the members of the House to be able to meet Mrs. Kanazawa this morning"; Mr. Merle Hawthorne, Chairman of the State Policy Advisory Board on Elderly Affairs; Mr. Rinji Goto, Director of the State Executive Office on Aging; Mr.

Larry Lee, Acting Director of the Honolulu Area Agency on Aging with the City and County Office of Human Resources; Dr. Fritz Forbes, Chairman of the Hawaii County Committee on Aging; Mr. William Takaba, County Executive, Hawaii County Office on Aging; Mrs. Eva Meuller, Chairwoman, Maui County Committee on Aging; Mr. Takashi Yamashita, County Executive, Maui County Committee on Aging; and Mrs. Eleanor Lloyd, County Executive, Kauai County Office of Elderly Affairs.

Representative Kihano then presented a certified copy of the resolution to Mrs. Kanazawa.

Representative Ige then rose and stated:

"Mr. Speaker, I would be remiss if I were not to say a few words on behalf of the Committee on Youth and Elderly Affairs.

Mr. Speaker, with Hawaii's population on the elderly growing so quickly and being one of the largest and fastest growing populations of elderly individuals in the United States, the responsibility of our elderly citizens are great; the demands are also very great, and I would like to express, as Chairman of the Committee on Youth and Elderly Affairs, that our committee and this House will follow you as we have done through the Statewide House Conference on Aging. We will follow you to the President's White House Conference on Aging, and that we will look forward to your recommendations and that we believe that your efforts are not in vain, that we sincerely appreciate your recommendations and would do everything we can to try and accommodate the kinds of things that you are advocates for.

On behalf of the committee, I would like to say 'thank you' for all of your hard work.

Thank you, Mr. Speaker."

At 12:03 o'clock p.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal aloha and gratitude to our honorees this morning."

The House of Representatives reconvened at 12:15 o'clock p.m.

At this time, the following introductions

were made to the members of the House:

Representative Monahan introduced Mr. and Mrs. John Finney, "close friends of mine. He is President of Pentigram Corporation which is the Burger King operation in Hawaii just two or three years ago. Also, in three of the last four years, he was on the champion Molokai canoe paddling team and his wife was in the champion female Molokai Channel team, so that has to make them the most athletic couple in Hawaii, I think."

Representative Say introduced 55 students (Juniors and Seniors) from Kaimuki High School. They were accompanied by their teachers, Miss Romana Rivera and Mrs. Edna Nakamura.

Representative Isbell introduced Mr. Richard Penhallow from Waimea on the Big Island, "a very good friend and very active in the community there."

STANDING COMMITTEE REPORTS

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. 1080) recommending that H.R. No. 400, as amended in HD 1, be adopted.

On motion by Representative Sakamoto, seconded by Representative Takamine and carried, H.R. No. 400, HD 1, entitled: "HOUSE RESOLUTION 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 adopted.

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. 1081) recommending that H.C.R. No. 176, as amended in HD 1, be adopted.

On motion by Representative Sakamoto, seconded by Representative Takamine and carried, the joint report of the Committees was adopted and H.C.R. No. 176, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION

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 adopted.

Representative Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1082) recommending that H.R. No. 586, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Toguchi, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 586, HD 1, entitled: "HOUSE RESOLUTION RELATING TO SPECIAL EDUCATION", was referred to the Committee on Legislative Management.

Representative Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1083) recommending that H.R. No. 587 be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 587, entitled: "HOUSE RESOLUTION RELATING TO THE CREATION OF AN ADVISORY TASK FORCE CONCERNING LIMITED ENGLISH PROFICIENCY", was referred to the Committee on Finance.

Representative Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1084) recommending that H.C.R. No. 221 be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Say and carried, the report of the Committee was adopted and H.C.R. No. 221, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE CREATION OF AN ADVISORY TASK FORCE CONCERNING LIMITED ENGLISH PROFICIENCY", was referred to the Committee on Finance.

Representatives Taniguchi and Segawa, for the majority of the Committees on Transportation and Health, presented a joint report (Stand. Com. Rep. No. 1085) recommending that H.R. No. 637, as amended in HD 1, be referred to the Committee on Finance.

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

"Mr. Speaker, on the third page, the words, 'BE IT FURTHER RESOLVED that no currently budgeted moneys be expended on the construction of the proposed H-3 highway until the health and safety issues cited in this Resolution are adequately studied;' -- Mr. Speaker, I am not, in my objection to this Resolution. . . I am not saying that the study should not be made. I think that is very important that if there is a potential health hazard that we should take that into very serious consideration and those studies should be made.

But, Mr. Speaker, when you hold off all budgeted moneys, it may affect, for example, one project called the Hale Koa Interchange. It affects the entire Windward community in a sense that we have a tremendous amount of cement trucks using Kaneohe Bay Drive which is a single lane highway and if we were to take this words literally, we would find that it may jeopardize those ancillary services as well and hold up those kinds of projects that the Windward community has been waiting for quite some time now.

And because of this, Mr. Speaker, I want it to be very clear that I think this study should be made, but that clause where it says that no budgeted moneys to be expended, I must disagree with.

Thank you."

On motion by Representative Taniguchi, seconded by Representative Segawa and carried, the joint report of the majority of the Committees was adopted and H.R. No. 637, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE POTENTIAL ADVERSE BIOLOGICAL EFFECTS UPON HUMANS OF RADIO FREQUENCY ELECTRO-MAGNETIC ENERGY IN CONNECTION WITH THE COLLOCATION OF THE PROPOSED H-3 HIGHWAY AND THE COAST GUARD OMEGA STATION -- HAIKU", was referred to the Committee on Finance, with Representatives Anderson, Dods, Ige, Medeiros, Sakamoto and Wong voting no.

Representatives Taniguchi and Segawa, for the majority of the Committees on Transportation and Health, presented a joint report (Stand. Com. Rep. No. 1086) recommending that H.C.R.

No. 232, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Taniguchi, seconded by Representative Segawa and carried, the joint report of the majority of the Committees was adopted and H.C.R. No. 232, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE POTENTIAL ADVERSE BIOLOGICAL EFFECTS UPON HUMANS OF RADIO FREQUENCY ELECTRO-MAGNETIC ENERGY IN CONNECTION WITH THE COLLOCATION OF THE PROPOSED H-3 HIGHWAY AND THE COAST GUARD OMEGA STATION -- HAIKU", was referred to the Committee on Finance, with Representatives Anderson, Dods, Ige, Medeiros, Sakamoto and Wong voting no.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1087) recommending that H.R. No. 557, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.R. No. 557, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT INDEPENDENT RANDOM SAFETY INSPECTIONS OF SCHOOL BUSES", was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1088) recommending that H.R. No. 630, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.R. No. 630, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF USING A CONTRA-FLOW LANE ON LIKELIKE HIGHWAY IN THE MORNING AND AFTERNOON PEAK PERIODS", was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1089) recommending that H.R. No. 491, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.R. No. 491, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY OF REQUIRING ALL SCHOOL BUSES TO BE EQUIPPED WITH COMMUNICATION SYSTEMS", was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1090) recommending that H.R. No. 522, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.R. No. 522, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE COST OF ELIMINATING THE HAZARDOUS CONDITIONS WHICH CAUSE FLOODING ON THE PORTION OF THE HAWAII BELT ROAD RUNNING THROUGH THE KA'U DISTRICT OF THE BIG ISLAND", was referred to the Committee on Finance.

Representatives Takitani and Toguchi, for the Committees on Public Employment and Government Operations and Education, presented a joint report (Stand. Com. Rep. No. 1091) recommending that H.R. No. 580, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative Toguchi and carried, the report of the Committee was adopted and H.R. No. 580, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON MEASURES TAKEN TO RESOLVE THE ISSUES RELATING TO THE JOB SHARING PROGRAM", was referred to the Committee on Finance.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1092) recommending that H.R. No. 79, HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Stanley, seconded by Representative Wong and carried, the report of the Committee was adopted

and H.R. No. 79, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN INTERIM STUDY OF STATUTORY PROVISIONS AND RELATED PROBLEMS AND ISSUES RELATING TO CHILD ABUSE AND NEGLECT", was referred to the Committee on Legislative Management.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1093) recommending that H.R. No. 543, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative D. Hagino, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.R. No. 543, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF A STATE VOLUNTEER PROGRAM", was referred to the Committee on Finance.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1094) recommending that H.R. No. 561 be referred to the Committee on Legislative Management.

On motion by Representative D. Hagino, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.R. No. 561, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE HAWAII PREPAID HEALTH CARE ACT IN RELATION TO THE FEDERAL EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974", was referred to the Committee on Legislative Management.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1095) recommending that S.C.R. No. 46, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the report of the Committee was adopted and S.C.R. No. 46, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND REPORT ON THE SALE AND DELIVERY OF DUTY-FREE MERCHANDISE AT THE HONOLULU INTERNATIONAL AIRPORT", was referred to the Committee on Finance.

Representatives Shito and Ige,

for the Committees on Housing and Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 1096) recommending that H.R. No. 390, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Ige and carried, the joint report of the Committees was adopted and H.R. No. 390, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO SELECT APPROPRIATE HOUSING SITES FOR ELDERLY HOUSING PROJECTS", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 715 to 719) and concurrent resolutions (H.C.R. Nos. 241 and 242) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 715) extending warmest best wishes to Sarah Kekelaokalani Pule on the occasion of her 75th birthday and commending her for many years of dedicated service to Hawaii and her people 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 Segawa and carried, H.R. No. 715 was adopted.

A resolution (H.R. No. 716) extending best wishes to the Paauilo senior citizens, Island of Hawaii, on the occasion of their forthcoming tenth anniversary celebration and commending their President, Vincent White, for his exceptional leadership and tireless efforts was jointly offered by Representatives Takamine, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Honda,

Ige, Isbell, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakamura, Nakasato, Narvaes, Okamura, Say, Segawa, Shito, Taniguchi, Toguchi, Waihee and Wong.

On motion by Representative Takamine, seconded by Representative Segawa and carried, H.R. No. 716 was adopted.

A resolution (H.R. No. 717) recognizing the 1981 opening of the Sheraton Royal Waikoloa in West Hawaii and extending best wishes for a most successful venture was jointly offered by Representatives Takamine, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Honda, Ige, Isbell, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakamura, Nakasato, Narvaes, Okamura, Say, Segawa, Shito, Taniguchi, Toguchi, Waihee and Wong.

On motion by Representative Takamine, seconded by Representative Segawa and carried, H.R. No. 717 was adopted.

A resolution (H.R. No. 718) congratulating the Punahou Tennis Team on their outstanding season performance was jointly offered by Representatives Marumoto, Kamali'i, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, G. Hagino, Hashimoto, Honda, Ige, Ikeda, Isbell, Kawakami, Liu, Matsuura, Medeiros, Nakamura, Narvaes, Okamura, Rohlfing, Taniguchi, Waihee and Wong.

On motion by Representative Kamali'i, seconded by Representative Ikeda and carried, H.R. No. 718 was adopted.

A resolution (H.R. No. 719) congratulating Lahainaluna High School on its 150th Anniversary was jointly offered by Representatives Honda, Takitani, Andrews, Monahan, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Levin, Liu, Marumoto, Matsuura, Medeiros, Morioka, Nakamura, Nakasato, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Honda,

seconded by Representative Takamine and carried, H.R. No. 719 was adopted.

A concurrent resolution (H.C.R. No. 241) recognizing the Fourth Annual Macadamia Nut Harvest Festival (The Augustfest) and congratulating and commending the Macadamians, Inc., and many other organizations for promoting the event and Hawaii's developing macadamia nut industry was jointly offered by Representatives Takamine, Aki, Baker, Chun, Dods, D. Hagino, Honda, Ige, Isbell, Kihano, Matsuura, Say, Segawa, Tungpalan and Waihee.

On motion by Representative Takamine, seconded by Representative Matsuura and carried, H.C.R. No. 241 was adopted.

A concurrent resolution (H.C.R. No. 242) recognizing the work of the State Historic Preservation Office and congratulating the office on its Fifth Anniversary was jointly offered by Representatives Marumoto, Tungpalan, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, G. Hagino, Hashimoto, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Liu, Matsuura, Medeiros, Nakamura, Narvaes, Okamura, Rohlfing, Taniguchi, Waihee and Wong.

On motion by Representative Tungpalan, seconded by Representative Ikeda and carried, H.C.R. No. 242 was adopted.

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 Final Reading on the basis of a modified consent basis.

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

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

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 20, HD 1, SD 1, was taken from the Clerk's desk:

On motion by Representative Blair, seconded by Representative Hirono and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 20, HD 1, and H.B. No. 20, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 36 ayes to 1 no, with Representative D. Hagino voting no, and Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

By unanimous consent, H.B. No. 174, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Nakamura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 174, HD 1, and H.B. No. 174, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

The Chair directed the Clerk to note that H.B. Nos. 20 and 174 had passed Final Reading at 12:45 o'clock p.m.

By unanimous consent, H.B. No. 205, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 205, and H.B. No. 205, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

By unanimous consent, H.B. No. 338, HD 1, SD 2, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 338, HD 1, and

H.B. No. 338, HD 1, SD 2, having been read throughout, passed Final Reading by a vote of 35 ayes to 2 noes, with Representatives Ikeda and Monahan voting no, and Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 205 and 338 had passed Final Reading at 12:46 o'clock p.m.

By unanimous consent, H.B. No. 339, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 339, HD 1, and H.B. No. 339, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 339 had passed Final Reading at 12:47 o'clock p.m.

By unanimous consent, H.B. No. 368, HD 1, SD 2, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Hirono and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 368, HD 1, and H.B. No. 368, HD 1, SD 2, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 368 had passed Final Reading at 12:48 o'clock p.m.

By unanimous consent, H.B. No. 461, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Nakamura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 461, HD 1, and H.B. No. 461, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 461 had passed Final Reading at 12:49 o'clock p.m.

By unanimous consent, H.B. No. 467, SD 1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Baker and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 467, and H.B. No. 467, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

By unanimous consent, H.B. No. 477, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Hirono and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 477, HD 1, and H.B. No. 477, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 467 and 477 had passed Final Reading at 12:50 o'clock p.m.

By unanimous consent, H.B. No. 495, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Hirono and carried, the House agreed to the amendments proposed by the

Senate to H.B. No. 495, HD 1, and H.B. No. 495, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

By unanimous consent, H.B. No. 506, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Segawa, seconded by Representative Chun and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 506, HD 1, and H.B. No. 506, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

By unanimous consent, H.B. No. 514, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Hirono and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 514, HD 1, and H.B. No. 514, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

The Chair directed the Clerk to note that H.B. Nos. 495, 506 and 514 had passed Final Reading at 12:51 o'clock p.m.

By unanimous consent, H.B. No. 526, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Hirono and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 526, HD 1, and H.B. No. 526, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives

Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

The Chair directed the Clerk to note that H.B. No. 526 had passed Final Reading at 12:52 o'clock p.m.

By unanimous consent, H.B. No. 541, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 541, HD 1, and H.B. No. 541, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 32 ayes to 5 noes, with Representatives Baker, de Heer, D. Hagino, Hirono and Waihee voting no, and Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

The Chair directed the Clerk to note that H.B. No. 541 had passed Final Reading at 12:53 o'clock p.m.

By unanimous consent, H.B. No. 549, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 549, HD 1, and H.B. No. 549, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 36 ayes to 1 no, with Representative Kihano voting no, and Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

The Chair directed the Clerk to note that H.B. No. 549 had passed Final Reading at 12:54 o'clock p.m.

At 12:54 o'clock p.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 12:56 o'clock p.m.

By unanimous consent, H.B. No. 579, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Baker and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 579, HD 1, and H.B. No. 579, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 579 had passed Final Reading at 12:57 o'clock p.m.

By unanimous consent, H.B. No. 582, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 582, and H.B. No. 582, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 582 had passed Final Reading at 12:58 o'clock p.m.

By unanimous consent, H.B. No. 588, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 588, HD 1, and H.B. No. 588, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk

to note that H.B. No. 588 had passed Final Reading at 12:59 o'clock p.m.

By unanimous consent, H.B. No. 597, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 597, HD 1, and H.B. No. 597, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

By unanimous consent, H.B. No. 635, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Chun, seconded by Representative Takitani and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 635, HD 1, and H.B. No. 635, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 597 and 635 had passed Final Reading at 1:00 o'clock p.m.

By unanimous consent, H.B. No. 739, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Segawa, seconded by Representative Nakamura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 739, HD 2, and H.B. No. 739, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 739 had passed Final Reading at 1:01 o'clock p.m.

By unanimous consent, H.B. No. 743, SD 1, was taken from the Clerk's desk.

On motion by Representative D. Hagino, seconded by Representative Tungpalan and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 743, and H.B. No. 743, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

By unanimous consent, H.B. No. 748, SD 2, was taken from the Clerk's desk.

On motion by Representative D. Hagino, seconded by Representative Tungpalan and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 748, and H.B. No. 748, SD 2, having been read throughout, passed Final Reading by a vote of 36 ayes to 1 no, with Representative Dods voting no, and Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

The Chair directed the Clerk to note that H.B. Nos. 743 and 748 had passed Final Reading at 1:02 o'clock p.m.

By unanimous consent, H.B. No. 749, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative D. Hagino, seconded by Representative Tungpalan and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 749, HD 2, and H.B. No. 749, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 36 ayes to 1 no, with Representative Dods voting no, and Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

The Chair directed the Clerk to note that H.B. No. 749 had passed Final Reading at 1:04 o'clock p.m.

By unanimous consent, H.B. No. 760, SD 1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Baker and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 760, and H.B. No. 760, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

By unanimous consent, H.B. No. 762, SD 1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Nakamura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 762, and H.B. No. 762, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

The Chair directed the Clerk to note that H.B. Nos. 760 and 762 had passed Final Reading at 1:05 o'clock p.m.

By unanimous consent, H.B. No. 772, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Hirono and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 772, HD 1, and H.B. No. 772, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

By unanimous consent, H.B. No. 774, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Segawa, seconded by Representative Blair and carried, the House agreed to the amendments proposed by the

Senate to H.B. No. 774, HD 1, and H.B. No. 774, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 772 and 774 had passed Final Reading at 1:06 o'clock p.m.

By unanimous consent, H.B. No. 788, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Honda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 788, HD 1, and H.B. No. 788, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

By unanimous consent, H.B. No. 820, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 820, HD 1, and H.B. No. 820, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 788 and 820 had passed Final Reading at 1:07 o'clock p.m.

By unanimous consent, H.B. No. 823, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the House agreed to the amendments proposed

by the Senate to H.B. No. 823, HD 1, and H.B. No. 823, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 823 had passed Final Reading at 1:08 o'clock p.m.

At 1:09 o'clock p.m., Representative Toguchi asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:12 o'clock p.m.

By unanimous consent, H.B. No. 930, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Hirono and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 930, and H.B. No. 930, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 930 had passed Final Reading at 1:13 o'clock p.m.

By unanimous consent, H.B. No. 1101, SD 1, was taken from the Clerk's desk.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1101, and H.B. No. 1101, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 1101 had passed Final Reading at 1:14 o'clock p.m.

By unanimous consent, H.B. No. 1126, SD 1, was taken from

the Clerk's desk.

On motion by Representative Honda, seconded by Representative Shito and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1126, and H.B. No. 1126, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

By unanimous consent, H.B. No. 1176, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1176, HD 1, and H.B. No. 1176, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 1126 and 1176 had passed Final Reading at 1:15 o'clock p.m.

By unanimous consent, H.B. No. 1255, SD 2, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Nakamura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1255, and H.B. No. 1255, SD 2, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 1255 had passed Final Reading at 1:16 o'clock p.m.

By unanimous consent, H.B. No. 1310, HD 1, SD 1, was taken

from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1310, HD 1, and H.B. No. 1310, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

By unanimous consent, H.B. No. 1341, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1341, HD 1, and H.B. No. 1341, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 1310 and 1341 had passed Final Reading at 1:17 o'clock p.m.

By unanimous consent, H.B. No. 1358, HD 1, SD 2, was taken from the Clerk's desk.

On motion by Representative D. Hagino, seconded by Representative Tungpalan and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1358, HD 1, and H.B. No. 1358, HD 1, SD 2, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 1358 had passed Final Reading at 1:18 o'clock p.m.

At 1:19 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.

By unanimous consent, H.B. No. 1359, HD 1, SD 2, was taken from the Clerk's desk.

On motion by Representative D. Hagino, seconded by Representative Tungpalan and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1359, HD 1, and H.B. No. 1359, HD 1, SD 2, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 1359 had passed Final Reading at 1:22 o'clock p.m.

By unanimous consent, H.B. No. 1360, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative D. Hagino, seconded by Representative Tungpalan and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1360, HD 1, and H.B. No. 1360, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

By unanimous consent, H.B. No. 1469, SD 1, was taken from the Clerk's desk.

On motion by Representative Matsuura, seconded by Representative Blair and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1469, and H.B. No. 1469, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 1360 and 1469 had passed Final Reading at 1:23 o'clock p.m.

By unanimous consent, H.B. No. 1471, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Hirono and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1471, HD 1, and H.B. No. 1471, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

By unanimous consent, H.B. No. 1514, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Nakamura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1514, HD 1, and H.B. No. 1514, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. Nos. 1471 and 1514 had passed Final Reading at 1:24 o'clock p.m.

By unanimous consent, H.B. No. 1522, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1522, HD 1, and H.B. No. 1522, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfling being excused.

The Chair directed the Clerk to note that H.B. No. 1522 had passed Final Reading at 1:25 o'clock p.m.

By unanimous consent, H.B. No. 1523, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1523, HD 1, and H.B. No. 1523, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

By unanimous consent, H.B. No. 1679, SD 1, was taken from the Clerk's desk.

On motion by Representative Segawa, seconded by Representative Toguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1679, and H.B. No. 1679, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

The Chair directed the Clerk to note that H.B. Nos. 1523 and 1679 had passed Final Reading at 1:26 o'clock p.m.

By unanimous consent, H.B. No. 1881, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1881, HD 1, and H.B. No. 1881, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

The Chair directed the Clerk to note that H.B. No. 1881 had passed Final Reading at 1:27 o'clock p.m.

By unanimous consent, H.B. No. 1931, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Honda, seconded by Representative Shito and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1931, HD 1, and H.B. No. 1931, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 37 ayes, with Representatives Albano, Andrews, Fukunaga, Hashimoto, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Morioka, Nakasato, Okamura and Rohlfing being excused.

The Chair directed the Clerk to note that H.B. No. 1931 had passed Final Reading at 1:28 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative Blair moved that the House reconsider its action taken on April 9, 1981, in disagreeing to the amendments proposed by the Senate in H.B. No. 781, SD 2, seconded by Representative Hirono and carried.

Representative Blair then gave notice of his intent to agree with the amendments made by the Senate in H.B. No. 781, SD 2.

Representative Blair moved that the House reconsider its action taken on April 9, 1981, in disagreeing to the amendments proposed by the Senate in H.B. No. 1292, HD 1, SD 1, seconded by Representative Hirono and carried.

Representative Blair then gave notice of his intent to agree with the amendments made by the Senate in H.B. No. 1292, HD 1, SD 1.

Representative Nakamura moved that the House reconsider its action taken on April 9, 1981, in disagreeing to the amendments proposed by the Senate in H.B. No. 1428, HD 1, SD 1, seconded by Representative Taniguchi and carried.

Representative Nakamura then gave notice of his intent to agree with the amendments made by the Senate in H.B. No. 1428, HD 1, SD 1.

Representative Taniguchi moved that the House reconsider its action taken on April 9, 1981, in disagreeing to the amendments proposed by the Senate in H.B. No. 808, HD

2, SD 1, seconded by Representative Stanley.

At 1:30 o'clock p.m., Representative Kamali'i asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:37 o'clock p.m.

The motion to reconsider action was put by the Chair and carried, with Representatives Ikeda, Kamali'i and Monahan voting no.

Representative Taniguchi then gave notice of his intent to agree with the amendments made by the Senate in H.B. No. 808, HD 2, SD 1.

Representative Sakamoto moved that the House reconsider its action taken on April 9, 1981, in disagreeing to the amendments proposed by the Senate in H.B. No. 511, HD 1, SD 1, seconded by Representative Baker and carried.

Representative Sakamoto then gave notice of his intent to agree with the amendments made by the Senate in H.B. No. 511, HD 1, SD 1.

At this time, Representative Ige requested the waiver of the 48-hour notice on hearings on House Resolutions 606, 607, 632 and 597, and the Chair "so ordered."

Representative Taniguchi requested the waiver of the 48-hour notice on hearings on House Resolutions 336, 401 and 659, and the Chair "so ordered."

Representative Honda requested the waiver of the 48-hour notice on hearings on House Resolution 671, and the Chair "so ordered."

At 1:40 o'clock p.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 1:42 o'clock p.m.

At this time, the Chair discharged the conferees on the part of the House on Senate Bills Nos. 164, SD 1, HD 1; 399, SD 1, HD 1; 856, SD 2, HD 1; 1145, SD 1,

HD 1; and 1471, HD 1.

At 1:44 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:46 o'clock p.m.

At 1:47 o'clock p.m., the Chair declared a recess, "for the purpose of receiving Conference Committee Reports for decking."

CONFERENCE COMMITTEE REPORTS

Representative Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1437, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 1) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 1 on H.B. No. 1437, HD 1, SD 2, CD 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. 1437, HD 1, SD 2, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 598, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 2) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 2 on S.B. No. 598, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 598, SD 1, HD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Tungpalan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 769, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 3) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration

of Conf. Com. Rep. No. 3 on H.B. No. 769, HD 2, SD 2, CD 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. 769, HD 2, SD 2, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Takamine, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1530, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 4) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 4 on H.B. No. 1530, HD 1, SD 1, CD 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. 1530, HD 1, SD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 271, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 5) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 5 on S.B. No. 271, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 271, SD 1, HD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 50, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 6) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 6 on H.B. No. 50, HD 1, SD 2, CD 1, was deferred, and in accordance with Article III, Section 16, of the Con-

stitution of the State of Hawaii, printed copies of H.B. No. 50, HD 1, SD 2, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 526, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 7) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 7 on S.B. No. 526, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 526, SD 1, HD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 816, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 8) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 8 on S.B. No. 816, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 816, SD 1, HD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 636, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 9) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 9 on S.B. No. 636, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 636, SD 1, HD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Matsuura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by

the Senate in H.B. No. 754, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 10) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 10 on H.B. No. 754, HD 1, SD 1, CD 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. 754, HD 1, SD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Matsuura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 770, SD 1, presented a report (Conf. Com. Rep. No. 11) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 11 on H.B. No. 770, SD 1, CD 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. 770, SD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 212, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 12) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 12 on H.B. No. 212, HD 1, SD 1, CD 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. 212, HD 1, SD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 204, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 13) recommending to their respective Houses the

final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 13 on H.B. No. 204, HD 1, SD 1, CD 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. 204, HD 1, SD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 200, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 14) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 14 on H.B. No. 200, HD 1, SD 1, CD 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. 200, HD 1, SD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 67, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 15) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 15 on S.B. No. 67, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 67, SD 1, HD 1, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 508, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 16) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 16 on S.B. No. 508, SD 1, HD 2, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 508, SD 1, HD 2, CD

l, were made available to the members of the House at 8:00 o'clock p.m.

Representative Toguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 32, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 17) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 17 on H.B. No. 32, HD 1, SD 1, CD 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. 32, HD 1, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 934, SD 1, presented a report (Conf. Com. Rep. No. 18) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 18 on H.B. No. 934, SD 1, CD 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. 934, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 328, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 19) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 19 on H.B. No. 328, HD 1, SD 2, CD 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. 328, HD 1, SD 2; CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Toguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 33, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 20) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 20 on H.B. No. 33, HD 2, SD 1, CD 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. 33, HD 2, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 14, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 21) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 21 on H.B. No. 14, HD 1, SD 1, CD 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. 14, HD 1, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1769, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 22) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 22 on H.B. No. 1769, HD 1, SD 1, CD 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. 1769, HD 1, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1511, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 23) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 23 on H.B. No. 1511, HD 1, SD 2, CD 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. 1511, HD 1, SD 2, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 393, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 24) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 24 on H.B. No. 393, HD 1, SD 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. 393, HD 1, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 567, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 25) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 25 on H.B. No. 567, HD 1, SD 2, CD 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. 567, HD 1, SD 2, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 585, SD 1, presented a report (Conf. Com. Rep. No. 26) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 26 on H.B. No. 585, SD 1, CD 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. 585, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 728, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 27) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 27 on H.B. No. 728, HD 1, SD 1, CD 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. 728, HD 1, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1103, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 28) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 28 on H.B. No. 1103, HD 1, SD 1, CD 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. 1103, HD 1, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1770, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 29) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 29 on H.B. No. 1770, HD 2, SD 1, CD 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. 1770, HD 2, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the

Senate in H.B. No. 1048, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 30) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 30 on H.B. No. 1048, HD 2, SD 2, CD 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. 1048, HD 2, SD 2, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 247, SD 2, presented a report (Conf. Com. Rep. No. 31) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 31 on H.B. No. 247, SD 2, CD 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. 247, SD 2, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1022, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 32) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 32 on H.B. No. 1022, HD 1, SD 1, CD 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. 1022, HD 1, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Toguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1662, HD 2, presented a report (Conf. Com. Rep. No. 33) recommending to their respective Houses the final

passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 33 on S.B. No. 1662, HD 2, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1662, HD 2, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Segawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1680, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 34) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 34 on H.B. No. 1680, HD 1, SD 2, CD 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. 1680, HD 1, SD 2, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Takitani, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1476, HD 1, presented a report (Conf. Com. Rep. No. 35) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 35 on S.B. No. 1476, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1476, HD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 568, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 36) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 36 on S.B. No. 568, SD 2, HD 2, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 568, SD 2, HD 2, CD 1, were made available to the members

of the House at 8:00 o'clock p.m.

Representative Honda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 113, HD 1, presented a report (Conf. Com. Rep. No. 37) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 37 on S.B. No. 113, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 113, HD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 432, SD 1, presented a report (Conf. Com. Rep. No. 38) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 38 on H.B. No. 432, SD 1, CD 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. 432, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Tungpalan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1765, SD 1, presented a report (Conf. Com. Rep. No. 39) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 39 on H.B. No. 1765, SD 1, CD 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. 1765, SD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Sakamoto, for the Committee on Conference on

the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1590, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 40) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 40 on H.B. No. 1590, HD 1, SD 2, CD 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. 1590, HD 1, SD 2, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Blair, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1713, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 41) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 41 on S.B. No. 1713, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1713, SD 1, HD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 55, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 42) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 42 on S.B. No. 55, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 55, SD 1, HD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 163, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 43) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 43 on S.B.

No. 163, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 163, SD 1, HD 1, CD 1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Kunimura, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 878, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 44) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 44 on S.B. No. 878, SD 2, HD 2, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 878, SD 2, HD 2, CD 1, were made available to the members

of the House at 10:00 o'clock p.m.

Representative Chun, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1267, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 45) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 45 on H.B. No. 1267, HD 1, SD 2, CD 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. 1267, HD 1, SD 2, CD 1, were made available to the members of the House at 10:00 o'clock p.m.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned to 11:30 o'clock a.m. tomorrow, Wednesday, April 22, 1981.

FIFTY-EIGHTH DAY

Wednesday, April 22, 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 Leo R. Bugtong representing Good Shepard Lutheran Church, after which the Roll was called showing all members present with the exception of Representatives Andrews, Monahan, Narvaes and Rohlfing who were excused.

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

On motion by Representative Stanley, seconded by Representative Kamali'i and carried, reading of the Journal was dispensed with and the Journal of the Forty-Ninth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 634 to 637) were read by the Clerk and disposed of as follows:

A communication from the Senate (Sen. Com. No. 634) transmitting Senate Concurrent Resolution No. 45 which was adopted by the Senate on April 21, 1981, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 635) informing the House that the Senate had reconsidered its action taken in disagreeing to the amendments made by the House to Senate Bill No. 1050, SD2, and has discharged the Managers on the part of the Senate for the consideration of said amendments on April 21, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 636) informing the House that the amendments proposed by the House to S.B. No. 1150, SD1 were agreed to by the Senate and S.B. No. 1150, SD1, HD1 passed Final Reading on April 21, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 637) returning House Concurrent Resolution No. 208 which was adopted by the Senate on April 21, 1981, was placed on file.

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

Representative Isbell introduced her secretary: Yoneko Inouye.

Representative Kiyabu introduced thirty fifth-grade students from Liliuokalani School who were accompanied by their teacher: Miss Alice Waki and a parent: Mrs. Stalman.

SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Kamali'i and carried, the rules were suspended for the purpose of consideration of certain resolutions out of order.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 696 and 722) were read by the Clerk and disposed of as follows:

A resolution (H.R. No. 696) recognizing Clifford Y.C. Kam as the recipient of the Western Branch of the American Public Health Association 1981 Dorsey/Skippy Award which was adopted on April 15, 1981.

Representative Segawa rose and stated: "Every year the Western Branch of the American Public Health Association makes an award for outstanding performance in the field of public health among individuals from the Western States of the United States. Today, it gives me great pleasure to present to you the 1981 recipient of the Dorsey/Skippy Award, Hawaii resident, Clifford Y.C. Kam.

Clifford Kam was born in Hawaii on December 10, 1941. He received his Bachelor of Business Administration degree from Chaminade University.

He joined Children's Hospital in 1966 as a bookkeeper and was responsible for maintaining the hospital's accounting records. The hospital recognized the meticulous talents of this bright young man, and soon he found himself being

rapidly promoted to Business Office Supervisor, Director of Fiscal Services, and then Assistant to the Controller.

When the Rehabilitation Hospital of the Pacific became an independent facility in 1975, Mr. Kam was asked to become its Business Manager. In this position he was responsible for planning, organizing, coordinating, and controlling the financial assests of the Hospital, and was responsible for the formulation of its financial policies. Mr. Kam has helped secure Federal monies under the Hill-Burton Program and the Vocational Rehabilitation Program from the Regional Office of the Department of Health and Human Services to construct, remodel, and renovate the Rehabilitation Hospital of the Pacific facilities to benefit the handicapped patients of Hawaii, the Trust Territories, Guam and Samoa. He has received commendations in the management of the Hospital's multi-million dollar construction project.

Even though Clifford is married and has a son, Jefferson, a junior at Iolani, he willingly offers his time to assist in any project proposed by the Hawaii Public Health Association and other handicapped groups in Hawaii. He is very active in community affairs, and finds time to participate in the activities of the Hospital Association of Hawaii, the National Association of Accountants, and the Hospital Financial Management Association.

Despite being handicapped and confined to a wheelchair, Clifford possesses an exceptional organizational ability which he utilizes fully to help advance the cause of others less fortunate than himself.

Mr. Speaker and members of the House, I believe Clifford is the example that a handicapped condition is not a deterrent to a productive and meaningful life style."

At this time, Representative Segawa introduced Mr. Clifford Y.C. Kam, and Mr. Pat Duarte, the Administrator of the Rehabilitation Hospital of the Pacific.

Representative Chun then presented the honoree with a lei and Representative Albano presented him with a certificate of the resolution.

A resolution (H.R. No. 722) honoring Frank E. Midkiff for his accomplishments and contributions to the community was jointly offered by Representatives Anderson, Aki, Albano, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Lacy, Liu, Marumoto, Medeiros, Monahan, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Wong.

On motion by Representative Anderson, seconded by Representative Chun and carried, H.R. No. 722 was adopted.

Representative Anderson rose and stated: "Mr. Speaker, I don't know when I've ever taken the pleasure of this mike to honor a man as great as Uncle Frank Midkiff. Uncle Frank was my father's teacher when he went to Kamehameha School and my Dad is now in his seventies. So this gentleman has given up more time to the children of Hawaii, to the people of Hawaii than any other person that I know of. If I could do half in my lifetime as he has done, I would say that I would be very very proud and happy. I can think of no other person that is more deserving for an honor as our honoree today."

Representative Anderson then introduced Frank E. Midkiff and his wife Marjorie to the members of the House.

Representative Marumoto presented a lei to the honoree, Representative Liu presented a lei to Mrs. Midkiff and Representative Anderson presented a certificate of the resolution.

At 11:55 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 12:28 o'clock p.m.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1097) recommending that H.R. No. 643 be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative Albano and carried, the report of the Committee was adopted and H.R. No. 643 entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS TO ESTABLISH AN APPRENTICESHIP COUNCIL WITHIN THE LABOR DEPARTMENT", was referred to the Committee on Finance.

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1098) recommending that H.R. No. 655, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 655, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO PROVIDE NEEDED FUNDS TO THE STATE DEPARTMENT OF AGRICULTURE FOR THE ENFORCEMENT OF DEPARTMENT REGULATIONS REGARDING GARBAGE FEEDING OF SWINE", was referred to the Committee on Finance.

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1099) recommending that H.R. No. 673 be referred to the Committee on Legislative Management.

On motion by Representative Takamine, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 673 entitled: "HOUSE RESOLUTION REQUESTING INTERIM STUDY OF MEANS TO ENHANCE THE FUNCTIONING OF AGRICULTURAL COOPERATIVE ASSOCIATIONS", was referred to the Committee on Legislative Management.

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1100) recommending that H.R. No. 656, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Kawakami, the report of the Committee was adopted and H.R. No. 656, HD1

entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FUTURE OF THE PINEAPPLE INDUSTRY IN HAWAII", was referred to the Committee on Finance.

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1101) recommending that H.C.R. No. 235, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.C.R. No. 235, HD1 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FUTURE OF THE PINEAPPLE INDUSTRY IN HAWAII", was referred to the Committee on Finance.

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. 1102) recommending that H.R. No. 576, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Sakamoto and carried, the joint report of the Committees was adopted and H.R. No. 576, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE STUDY MEANS TO CONSERVE AND PROTECT AGRICULTURAL LANDS, PROMOTE DIVERSIFIED AGRICULTURE, INCREASE AGRICULTURAL SELF-SUFFICIENCY AND ASSURE THE AVAILABILITY OF AGRICULTURALLY SUITABLE LAND IN KONA, HAWAII", was referred to the Committee on Finance.

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. 1103) recommending that H.C.R. No. 217, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Sakamoto and carried, the joint report of the Committees was adopted and H.C.R. No. 217, HD1 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE STUDY MEANS TO CONSERVE AND PROTECT AGRICULTURAL LANDS, PROMOTE DIVERSIFIED AGRICULTURE,

INCREASE AGRICULTURAL SELF-SUFFICIENCY AND ASSURE THE AVAILABILITY OF AGRICULTURALLY SUITABLE LAND IN KONA, HAWAII", was referred to the Committee on Finance.

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 1104) recommending that H.R. No. 565 be referred to the Committee on Legislative Management.

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 565 entitled: "HOUSE RESOLUTION REQUESTING THE HOUSE COMMITTEE ON ENERGY, ECOLOGY AND ENVIRONMENTAL PROTECTION TO CONDUCT A STUDY OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL, THE ENVIRONMENTAL QUALITY COMMISSION AND THE STATE'S ENVIRONMENTAL IMPACT STATEMENT SYSTEM", was referred to the Committee on Legislative Management.

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 1105) recommending that S.C.R. No. 29, SD1, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.C.R. No. 29, SD1, HD1 entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO NEGOTIATE INTERSTATE COMPACTS FOR THE DISPOSAL OF LOW-LEVEL RADIOACTIVE WASTES", was referred to the Committee on Finance.

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 1106) recommending that H.R. No. 562 be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 562 entitled: "HOUSE RESOLUTION REQUESTING THE

DEPARTMENT OF HEALTH TO SURVEY THE BEVERAGE CONTAINER LITTER PROBLEM", 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. 1107) recommending that H.R. No. 627, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 627, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO INVESTIGATE THE FEASIBILITY OF ESTABLISHING A VETERANS FACILITY ON THE ISLAND OF HAWAII", 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. 1108) recommending that H.R. No. 534, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 534, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO REPORT ON LONG-TERM CARE", was referred to the Committee on Finance.

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. 1109) recommending that H.R. No. 515, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the joint report of the Committees was adopted and H.R. No. 515, HD1 entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF STATE AND COUNTY POLICIES AND PROCEDURES RELATING TO PARKING FOR THE HANDICAPPED", was referred to the Committee on Finance.

Representatives Chun and Ige, for the Committees on Public Assistance and Human Services; and Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 1110)

recommending that H.R. No. 653, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the joint report of the Committees was adopted and H.R. No. 653, HD1 entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF DISREGARDING THE SOCIAL SECURITY ADJUSTMENT OF JULY 1980 FOR DETERMINING ELIGIBILITY FOR MEDICAID", was referred to the Committee on Finance.

Representatives Chun and Toguchi, for the Committees on Public Assistance and Human Services; and Education, presented a joint report (Stand. Com. Rep. No. 1111) recommending that H.R. No. 608, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the joint report of the Committees was adopted and H.R. No. 608, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EVALUATE THE APPLICABILITY OF INCORPORATING PROJECT RISE INTO THE SECONDARY SCHOOL CURRICULUM", was referred to the Committee on Finance.

Representatives Chun and Toguchi, for the Committees on Public Assistance and Human Services; and Education, presented a joint report (Stand. Com. Rep. No. 1112) recommending that H.C.R. No. 227, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the joint report of the Committees was adopted and H.C.R. No. 227, HD1 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EVALUATE THE APPLICABILITY OF INCORPORATING PROJECT RISE INTO THE SECONDARY SCHOOL CURRICULUM", was referred to the Committee on Finance.

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 1113) recommending that H.R. No. 583 be adopted.

Representative Baker moved

that the resolution be adopted, seconded by Representative Okamura.

Representative Kamali'i rose and stated: "Mr. Speaker, this resolution, and a number of others which we will consider this morning, express Hawaii's intention to undermine the economic recovery program offered by President Reagan. I find these efforts highly questionable and premature.

This nation is on the brink of economic collapse. A billion dollar debt and continued massive spending of money we simply do not have, cannot continue.

I am not suggesting that a crisis cannot be confronted, and that possible collapse averted. It is because I believe that we can, that I am speaking this morning. I will not pretend that cutbacks in these programs will not hurt us, but what we risk is so much greater than that temporary discomfort of budgeting sensibly, that I urge all of you to reconsider continuing this practice of seeking unsound federal aid.

This resolution addresses our concern for federal support of alternate and experimental energy research programs. Hawaii has been a world leader in this field, but we are also taking the lead in finding alternative funding for such programs. We have signed two geo-thermal contracts, international interest has been expressed in the OTEC program, and biomass is in the process of conversion to a commercially sound venture.

We have demonstrated proof of this kind of governmentally funded experimentation into privately marketed energy alternatives with solar energy devices. I believe that we will witness many more instances.

That process, then, can only be enhanced by encouraging such private investment, not by soliciting additional federal support.

I urge all of my colleagues to think long and hard about the true nature of the President's economic recovery proposals, and the options which are attractive and available to us in the energy field, and defeat this measure."

The motion was put by the Chair and carried, and H.R. No. 583 entitled: "HOUSE RESOLUTION REQUESTING THE REINSTATEMENT OF FUNDING FOR RENEWABLE ALTERNATE

ENERGY RESEARCH AND DEVELOPMENT PROGRAMS", was adopted with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros and Wong registering no votes and Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1114) recommending that H.R. No. 513 be adopted.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 513 entitled: "HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO CONTINUE ITS SUPPORT OF COMMUNITY HEALTH CENTERS", was adopted with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros and Wong registering no votes and Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1115) recommending that H.R. No. 531, as amended in HD1, be adopted.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 531, HD1 entitled: "HOUSE RESOLUTION PROCLAIMING THE MONTH OF MAY 1981 AS MENTAL HEALTH MONTH IN HAWAII", was adopted.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1116) recommending that H.R. No. 631, as amended in HD1, be adopted.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.R. No. 631, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXAMINE THE FEASIBILITY OF TERMINATING THE PROPOSED WIDENING OF KAHEKILI HIGHWAY IN THE AREA ADJACENT TO THE PROPOSED HEELIA-MEADOWLAND DEVELOPMENT", was adopted.

Representatives Chun, Ige and Segawa, for the Committees on Public

Assistance and Human Services; Youth and Elderly Affairs; and Health, presented a joint report (Stand. Com. Rep. No. 1117) recommending that H.R. No. 574, as amended in HD1, be adopted.

On motion by Representative Chun, seconded by Representative Ige and carried, the joint report of the Committees was adopted and H.R. No. 574, HD1 entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO MONITOR THE HEARINGS ON THE ADMINISTRATION BUDGET AND SUPPORT ALL EFFORTS TO MAINTAIN OR INCREASE APPROPRIATIONS FOR SOCIAL, HEALTH AND HUMAN SERVICES", was adopted.

Representative Chun, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 1118) recommending that H.C.R. No. 198, as amended in HD1, 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. 198, HD1 entitled: "HOUSE CONCURRENT RESOLUTION 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 adopted.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1119) recommending that H.R. No. 538 be adopted.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 538 entitled: "HOUSE RESOLUTION REQUESTING THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) TO CONTINUE FUNDING OF THE KAHULUI WEATHER SERVICE OFFICE ON MAUI", was adopted.

Representatives Sakamoto, Baker and Matsuura, for the Committees on Water, Land Use, Development and Hawaiian Affairs; Energy, Ecology

and Environmental Protection; and Ocean and Marine Resources, presented a joint report (Stand. Com. Rep. No. 1120) recommending that H.R. No. 582 be adopted.

On motion by Representative Sakamoto, seconded by Representative Baker and carried, the joint report of the Committees was adopted and H.R. No. 582 entitled: "HOUSE RESOLUTION REQUESTING REINSTATEMENT OF FUNDING FOR THE NATIONAL COASTAL ZONE MANAGEMENT PROGRAM", was adopted with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros and Wong registering no votes and Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

Representatives Sakamoto, Baker and Matsuura, for the Committees on Water, Land Use, Development and Hawaiian Affairs; Energy, Ecology and Environmental Protection; and Ocean and Marine Resources, presented a joint report (Stand. Com. Rep. No. 1121) recommending that H.C.R. No. 218 be adopted.

On motion by Representative Sakamoto, seconded by Representative Baker and carried, the joint report of the Committees was adopted and H.C.R. No. 218 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE REINSTATEMENT OF FUNDING FOR THE NATIONAL COASTAL ZONE MANAGEMENT PROGRAM", was adopted with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros and Wong registering no votes and Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1122) recommending that H.R. No. 598, as amended in HD1, be adopted.

On motion by Representative Shito, seconded by Representative Honda and carried, the report of the Committee was adopted and H.R. No. 598, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE SECRETARY OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO PROVIDE FINANCIAL ASSISTANCE TO THE STATE OF HAWAII FOR THE IMPLEMENTATION OF A UNIQUE AND INNOVATIVE HOUSING PROGRAM TO ALLEVIATE THE CRITICAL SHORTAGE OF RENTAL HOUSING IN HAWAII AND WHICH MAY BE A VIABLE MEANS OF RELIEVING THE NATIONAL RENTAL

HOUSING CRISIS", was adopted.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1123) recommending that H.C.R. No. 225, as amended in HD1, be adopted.

On motion by Representative Shito, seconded by Representative Honda and carried, the report of the Committee was adopted and H.C.R. No. 225, HD1 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SECRETARY OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO PROVIDE FINANCIAL ASSISTANCE TO THE STATE OF HAWAII FOR THE IMPLEMENTATION OF A UNIQUE AND INNOVATIVE HOUSING PROGRAM TO ALLEVIATE THE CRITICAL SHORTAGE OF RENTAL HOUSING IN HAWAII AND WHICH MAY BE A VIABLE MEANS OF RELIEVING THE NATIONAL RENTAL HOUSING CRISIS", was adopted.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1124) recommending that H.R. No. 615 be adopted.

On motion by Representative Albano, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and H.R. No. 615 entitled: "HOUSE RESOLUTION REQUESTING THE CONTINUATION OF A PROGRAM FOR THE UNEMPLOYED", was adopted.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1125) recommending that H.C.R. No. 230 be adopted.

On motion by Representative Albano, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and H.C.R. No. 230 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF A PROGRAM FOR THE UNEMPLOYED", was adopted.

Representative D. Hagino, for the majority of the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1126) recommending that H.R. No. 550, as amended in HD1, be adopted.

On motion by Representative Albano, seconded by Representative Tungpalan and carried, the report of the majority

of the Committee was adopted and H.R. No. 550, HD1 entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO OPPOSE FEDERAL BUDGET CUTS THAT WOULD HARM HAWAII'S WORKING PEOPLE", was adopted with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros and Wong registering no votes and Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

Representative D. Hagino, for the majority of the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1127) recommending that H.C.R. No. 209, as amended in HD1, be adopted.

On motion by Representative Albano, seconded by Representative Tungpalan and carried, the report of the majority of the Committee was adopted and H.C.R. No. 209, HD1 entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO OPPOSE FEDERAL BUDGET CUTS THAT WOULD HARM HAWAII'S WORKING PEOPLE", was adopted with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros and Wong registering no votes and Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1128) recommending that H.C.R. No. 159, as amended in HD2, be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.C.R. No. 159, HD2 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A LONG-RANGE IMPLEMENTATION PLAN FOR A COMPREHENSIVE DATA SYSTEM FOR CRIMINAL JUSTICE", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1129) recommending that H.C.R. No. 147, as amended in HD1, be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.C.R. No. 147, HD1 entitled: "HOUSE CONCURRENT

RESOLUTION REQUESTING A STUDY ON THE ACQUISITION OF MAKENA, MAUI, FOR A STATE PARK", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1130) recommending that H.R. No. 288, HD1, be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 288, HD1 entitled: "HOUSE RESOLUTION REQUESTING AN EVALUATION OF THE FUEL POTENTIAL OF ALL PLANTED FOREST STANDS", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1131) recommending that H.R. No. 281, as amended in HD1, be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 281, HD1 entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE NEED FOR A JUVENILE DETENTION AND/OR YOUTH CORRECTIONAL FACILITY ON THE ISLAND OF HAWAII", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1132) recommending that H.R. No. 337 be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 337 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO REVIEW ITS POLICIES RELATING TO INMATE COMPENSATION FOR WORK AND WORK-RELATED TRAINING", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1133) recommending that H.R. No. 346, HD1 be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 346, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE STUDY AND REPORT ON GUIDELINES AND PRINCIPLES

ESTABLISHED FOR THE DEVELOPMENT PROGRAM OF AFFORDABLE HOUSING", was adopted.

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 1134) recommending that H.R. No. 362, HD1 be adopted.

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

Representative Takitani rose and stated: "Mr. Speaker, I will try to make this short and to the point being that for the last couple of years I have spoken on this subject already. I'm tired of this body telling the people only half of the story. I'm tired of us saying that tourism is good for you, we've got to continue to grow, we've got to expand this industry and all of us local residents, we'd better be understanding and appreciative of the tourists.

What about the other side? Why don't we start a new program that from now on that every plane that lands here, we'll corral everybody that comes off the plane, and take them into one room, and we'll let some guy that's lived here all his life talk to them and say something like, "you know brah, because of you, really expensive the land nowadays. Because you, I no can go sand slide down the beach I used to go when I was small. Some places I cannot even go anymore. Also, because of you, it's really crowded now."

The list goes on and on. I'd just like to say until we give the whole story, the whole truth, and then we can let the people make up their own mind, I've got to continue to vote no on this."

Representative Taniguchi rose and stated: "Mr. Speaker, I also rise to speak against H.R. No. 362, HD1. The substantive portion of this resolution states or requests the Office of Tourism to work closely with the Education Council, the Hawaii Visitors Bureau, and the Hawaii Hotel Association and the Visitor Industry Department of Education in coordination and expansion of programs designed to inform and educate the residents concerning the role of tourism in Hawaii. I agree that tourism is important and vital to our economy. However, there are problems with the industry.

If there were no problems, we wouldn't need this resolution. The limited problem that this resolution addresses is a lot of local people do not like the tourist industry. They do not like the tourist industry because of the way it impacts them. Instead of trying to deal with these negative impacts, the industry and this legislature, by adopting this resolution, chooses to ignore these concerns and instead tries to convince local people through mass media and education techniques in our school that tourism is good and it's great.

The underlying assumption in this resolution, Mr. Speaker, is that local people are not educated enough or informed enough to know what the role of tourism is. This is what makes this resolution so particularly repulsive to me and I urge my colleagues to vote against it."

Representative Anderson rose in rebuttal stating: "Mr. Speaker, I'd like to speak in favor of this resolution as I have done in many years. This resolution is going exactly what two gentlemen are saying, it's going to inform the people of Hawaii, the youth and the rest of them what is good about tourism. All we hear is what is bad.

The tourist didn't do anything wrong by coming here. It provided jobs. We've done one hell of a lousy job in zoning, allowing our beaches to be bought up. We didn't have sense enough to put the states and the counties to buy it up. And now that it's done, we're complaining. Tourists didn't come here and say, "hey, I want that beach." If the hotel is there, that's where they'll stay.

Very shortly, in November, hopefully the Hawaiian Civic Club will be going to Anaheim for the first convention out of state. We're going to become tourists. I don't think the people in Anaheim are very happy with what has happened there with Disneyland. But they have adjusted, and we have to adjust.

But we have done a lousy job in letting the kids know exactly what tourism has and has not done for them. We've never gone out, collectively, in the industry, down to Waianae, down to Haleiwa, Hauula, and said, "hey, do you know how people are going to your store and are able to afford to buy from your

grocery store because they are working for this hotel, or for that travel industry, or for that airline?" I don't think that it's wrong to educate, to make sure that everybody knows what's going on. That's what this resolution does, Mr. Speaker, and I hope everybody will vote for it."

Representative Say rose in favor of the resolution stating: "Mr. Speaker, being the primary committee chairman and referring this particular resolution on to the Finance Committee for interim work, let me say a few words on why I'm in support of this particular resolution.

A lot of you know the ply in the concern for tourism. And I think that most of you should realize that one out of every four in the state of Hawaii works in the industry, whether directly or indirectly.

I'm very concerned about the industry and I am not an advocate of the industry per se. I'm sorry that this year the tourism functional plan was not adopted. But going through it as far as committee members, they are aware that for the next decade of the eighties, the job opportunities were supposed to be in tourism. DPED's predictions along with the private sector's predictions were for 81,000 jobs in the next decade.

As the chairman I took my job seriously, in trying to see what are the graduates of Travel Industry Management School of Business will be doing. All of us here have grown up here in Hawaii and all of us want to stay here. Most of these graduates aren't going to stay here once they graduate right now, if you look at the functional plan in regards to the resort destination areas. I've talked to a lot of the developers, they're not going to build as fast as what you think they're going to build.

Sure, Representative Takamine is going to congratulate Sheraton Waikaloa. But it hasn't gone up yet. All I'm saying this afternoon is that you folks who are here who are legislators and politicians, help me. Help me in providing jobs for the high school graduates, the community college graduates and the university graduates. Sure, a lot of you are upset about the tax exemption which is in the

Conference Bill No. 1. It's one approach in providing jobs. One of our colleagues sons is working on that particular cruise ship.

All I'm saying is that you folks tell me where we can provide more jobs for our graduates. The reason why we're addressing the problem is this, and I told the industry two weeks ago when Representative Nakasato and myself went to this seminar, I'm very disturbed when the presidents of the major industry of the hotel chain such as Sheraton, such as Continental, such as Bank of Hawaii, goes on hotline to business and says, "yeah, we're doing all right." It makes it hard for all of us. Then we've got to go house to house and explain that it's not all right. Aloha Airlines has laid off over a hundred and sixty employees, where Hawaiian has laid off over a hundred employees. When one of my colleague says that his wife says to her friends, WYA . . . do you know what that means? WYA? Watch your okole, your job might be in jeopardy.

This particular resolution is addressed to educate all, from top to bottom. Even my friends who are in the business puts the pressure on me to say, "yeah, ax the tourists, we don't give a damn." But then, it's their bread and butter. I'm not the sponsor of this resolution this afternoon, but being the chairman I tried to be very responsible. I get upset when people say I'm sleeping with the tourist industry people. This resolution which was drafted by my vice-chairman, was to address the educational aspect for employees, people like us here and so forth. Mr. Speaker, I've talked to you about attendance at committee hearings. I wish someday that you could make it mandatory that all members attend and learn about Hawaii 1982, about the twelve million dollar promotion by United Airlines. There's no purpose of having a public hearing if only your vice-chairman attends. This is where you learn, at the public hearings.

In closing, Representative Takitani, you're correct in that the resolution has been drafted for the past four or five years while I've been in office, and is a major concern that we should all take into consideration. Everyone represents a different group, and I'm not knocking it,

different groups as far as your community. In going to Kailua-Kona, which Representative Isbell represents, there are no tourists there. Sure Waikiki has 80 per cent occupancy. What about the other counties? Am I just supposed to look at Oahu and say Oahu's doing okay, forget about the other counties? It is my job as a state representative to look at the whole package. I hope that the committee and the vice-chairman would head this sub-committee if it is approved by this body."

The motion was put by the Chair and carried, and H.R. No. 362, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF TOURISM TO WORK CLOSELY WITH THE PUBLIC AND THE PRIVATE SECTORS TO IMPROVE THE COORDINATION OF PUBLIC INFORMATION AND EDUCATION PROGRAMS CONCERNING THE VISITOR INDUSTRY", was adopted with Representatives Takitani and Taniguchi registering no votes.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1135) recommending that H.R. No. 374 be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 374 entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY FOR IMPLEMENTING LIVESTOCK AND AGRICULTURAL PROGRAMS THROUGHOUT THE STATEWIDE CORRECTIONAL PROGRAM", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1136) recommending that H.R. No. 389 be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 389 entitled: "HOUSE RESOLUTION 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 adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1137) recommending that H.R. No. 418, HD1 be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 418, HD1 entitled: "HOUSE RESOLUTION REQUESTING A PROGRESS REPORT ON THE IMPLEMENTATION OF THE LONG-TERM CARE CHANNELING DEMONSTRATION PROJECT", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1138) recommending that H.R. No. 414 be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 414 entitled: "HOUSE RESOLUTION 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 adopted.

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 1139) recommending that H.R. No. 266 be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the majority of the Committee was adopted and H.R. No. 266 entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE COST-BENEFIT OF REDUCING OR CLOSING THE NON-HONOLULU OFFICES OF THE HAWAII VISITORS BUREAU", was adopted with Representative Anderson registering a no vote.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1140) recommending that H.R. No. 38, HD1 be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 38, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REPORT

ON THE ALTERNATIVE EDUCATION PROGRAM", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1141) recommending that H.R. No. 359, HD1 be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 359, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND INDUSTRIAL RELATIONS TO AMEND THEIR RULES RELATING TO THE BOILER AND ELEVATOR SAFETY LAW", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1142) recommending that H.R. No. 566, HD1 be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 566 entitled: "HOUSE RESOLUTION REQUESTING EXPEDITIOUS DEVELOPMENT OF A STATE PARK ON THE FORT ARMSTRONG-KEWALO PENINSULA", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1143) recommending that H.R. No. 47, as amended in HD1, be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 47, HD1 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 adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1144) recommending that H.R. No. 132, as amended in HD2, be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 132, HD2 entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE HAWAII CORRECTIONAL MASTER

PLAN", was adopted.

SUSPENSION OF RULES

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

At 12:08 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 12:09 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1145) recommending that S.B. No. 1114, SD1 pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 1114, SD1 entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 80, HAWAII REVISED STATUTES", passed Third Reading by a vote of 47 ayes with Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1146) recommending that S.B. No. 1096, SD1 pass Third Reading.

Representative Kunimura moved that the report of the Committee be adopted and S.B. No. 1096, SD1 pass Third Reading, seconded by Representative Kiyabu.

Representative Isbell rose to speak in favor of the bill stating: "Mr. Speaker, this additional Third Circuit Court judge is going to the Big Island. I'm in favor of that, but the fact that it's going to Hilo bothers me. I have been trying to find out why the judge is going to Hilo when Kona is the one that requested it. As I have found out, the reason is they didn't ask for the three support positions. If this judge is to go to Kona, he would need a secretary, a clerk, and a third person. I question why the judge is going to Hilo when with one hundred and thirty-eight positions asked for, surely

three of those could be found to go to Kona and take the judge with them. I would like to bring to the attention of this honorable body that there is a circuit court judge going to the Big Island, which is great, but he isn't going to Kona, which is bad."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.B. No. 1096, SD1 entitled: "A BILL FOR AN ACT RELATING TO CIRCUIT COURTS", passed Third Reading by a vote of 47 ayes with Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

The Chair directed the Clerk to note that S.B. Nos. 1114, SD1; and 1096, SD1 had passed Third Reading at 1:07 o'clock p.m.

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 1147) recommending that S.B. No. 354, SD1 pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the majority of the Committee was adopted and S.B. No. 354, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF PROPHYLACTIC IN VENDING MACHINES", passed Third Reading by a vote of 40 ayes to 7 noes with Representatives Aki, Ige, Medeiros, Nakamura, Nakasato, Shito and Takitani voting no and Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

The Chair directed the Clerk to note that S.B. No. 354, SD1 had passed Third Reading at 1:09 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1148) recommending that S.B. No. 567, SD1 pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 567, SD1 entitled: "A BILL FOR AN ACT RELATING TO NO FAULT INSURANCE", passed Third Reading by a vote of 47 ayes with Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

The Chair directed the Clerk to note that S.B. No. 567, SD1 had passed Third Reading at 1:10 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1149) recommending that S.B. No. 1472, SD2 pass Third Reading.

By unanimous consent, action was deferred one day.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1150) recommending that H.R. No. 613, as amended in HD1, be adopted.

On motion by Representative Albano, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and H.R. No. 613, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE EXTENSION AND CONTINUED FUNDING OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA) PUBLIC SERVICE EMPLOYMENT PROGRAM", was adopted with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros and Wong registering no votes and Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1151) recommending that H.C.R. No. 228 be adopted.

On motion by Representative Albano, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and H.C.R. No. 228 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXTENSION AND CONTINUED FUNDING OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA) PUBLIC SERVICE EMPLOYMENT PROGRAM", was adopted with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros and Wong registering no votes and Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

Representative Ige, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 1152) recommending that H.R. No. 548 be referred to the Committee on Legislative Management.

On motion by Representative Ige,

seconded by Representative Levin and carried, the report of the Committee was adopted and H.R. No. 548 entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE PROVISIONS OF HOUSE BILL NO. 225, INTRODUCED IN 1981", was referred to the Committee on Legislative Management.

Representative Chun, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 1153) recommending that S.C.R. No. 56 be adopted.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and S.C.R. No. 56 entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DONATION OF SURPLUS FOOD PRODUCTS", was adopted.

Representatives Baker and Taniguchi, for the majority of the Committees on Energy, Ecology, and Environmental Protection, and Transportation, presented a joint report (Stand. Com. Rep. No. 1154) recommending that H.R. No. 644 be adopted.

On motion by Representative Baker, seconded by Representative Taniguchi and carried, the joint report of the majority of the Committees was adopted and H.R. No. 644 entitled: "HOUSE RESOLUTION REQUESTING THE RESCISSION OF THE DECISION TO SUSPEND THE ESTABLISHMENT OF FURTHER AUTOMOBILE FUEL EFFICIENCY STANDARDS AFTER 1985", was adopted with Representatives Anderson, Ikeda and Liu registering no votes and Representatives Andrews, Monahan, Narvaes and Rohlfing being excused.

Representatives D. Hagino and Segawa, for the Committees on Employment Opportunities and Labor Relations; and Health, presented a joint report (Stand. Com. Rep. No. 1155) recommending that H.R. No. 616 be adopted.

On motion by Representative Albano, seconded by Representative Tungpalan and carried, the joint report of the Committees was adopted and H.R. No. 616 entitled: "HOUSE RESOLUTION REQUESTING THE U.S. CONGRESS TO EXEMPT HAWAII'S PREPAID HEALTH CARE ACT FROM THE PREEMPTION PROVISION OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974", was adopted.

Representatives D. Hagino and

Ige, for the Committees on Employment Opportunities and Labor Relations; and Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 1156) recommending that H.R. No. 646 be adopted.

On motion by Representative Albano, seconded by Representative Ige and carried, the joint report of the Committees was adopted and H.R. No. 646 entitled: "HOUSE RESOLUTION REQUESTING THE CONTINUATION OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA) YOUTH PROGRAMS", was adopted with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros and Wong registering no votes and Representatives Monahan, Narvaes and Rohlfing being excused.

Representatives D. Hagino, Say and Taniguchi, for the Committees on Employment Opportunities and Labor Relations; Tourism; and Transportation, presented a joint report (Stand. Com. Rep. No. 1157) recommending that H.C.R. No. 236 be adopted.

On motion by Representative Albano, seconded by Representative Say and carried, the joint report of the Committees was adopted and H.C.R. No. 236 entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STIMULATION AND REVITALIZATION OF THE ECONOMY OF THE COUNTY OF HAWAII", was adopted.

Representatives D. Hagino, Say and Taniguchi, for the Committees on Employment Opportunities and Labor Relations; Tourism; and Transportation, presented a joint report (Stand. Com. Rep. No. 1158) recommending that H.R. No. 658 be adopted.

On motion by Representative Albano, seconded by Representative Say and carried, the joint report of the Committees was adopted and H.R. No. 658 entitled: "HOUSE RESOLUTION RELATING TO THE STIMULATION AND REVITALIZATION OF THE ECONOMY OF THE COUNTY OF HAWAII", was adopted.

Representative Chun, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 1159) recommending that S.C.R. No. 57, SD1, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and S.C.R. No. 57,

SD1, HD1 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF THE OTHER STATES' 'GOOD SAMARITAN' STATUTES, AND TO REPORT THEIR FINDINGS TO THE 1982 LEGISLATIVE SESSION", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 720 to 721 and 723 to 724) were read by the Clerk and disposed of as follows:

A resolution (H.R. No. 720) congratulating Mr. John G. Simpson for his leadership as former president of the Hawaii Visitors Bureau and extending best wishes for his future endeavors was jointly offered by Representatives Say, Morioka, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Lacy, Levin, Liu, Marumoto, Matsuura, Monahan, Nakasato, Narvaes, Sakamoto, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Wong.

On motion by Representative Say, seconded by Representative Morioka and carried, H.R. No. 720 was adopted.

A resolution (H.R. No. 721) recognizing the County of Maui Mayor's White House Conference on Children and Youth to be held on May 8, 1981 was jointly offered by Representatives Honda, Takitani, Andrews, Monahan, Aki, Albano, Anderson, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Ige, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Honda, seconded by Representative Takitani and carried, H.R. No. 721 was adopted.

A resolution (H.R. No. 723)

honoring the Southernmost Theater in the United States for its continuing efforts to provide entertainment on the Island of Hawaii was jointly offered by Representatives Levin, Aki, Baker, Blair, de Heer, D. Hagino, G. Hagino, Ige, Isbell, Matsuura, Okamura, Segawa, Takamine, Tungpalan and Waihee.

On motion by Representative Levin, seconded by Representative Segawa and carried, H.R. No. 723 was adopted.

A resolution (H.R. No. 724) commending and honoring the Christian Science Monitor for its excellent public service contributions was jointly offered by Representatives D. Hagino, Aki, Albano, Anderson, de Heer, Fukunaga, G. Hagino, Honda, Ikeda, Isbell, Kunimura, Lacy, Levin, Liu, Marumoto, Narvaes, Say, Shito, Stanley, Takamine, Toguchi and Waihee.

On motion by Representative Albano, seconded by Representative Ige and carried, H.R. No. 724 was adopted.

At 1:17 o'clock p.m., at the request of Representative Stanley, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:22 o'clock p.m.

Representative Sakamoto then requested that the 48-hour notice for hearings be waived on two resolutions and the Chair stated:

"So ordered."

Representative Kihano introduced former representative Momi Minn Lee.

CONFERENCE COMMITTEE REPORTS

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to S.B. No. 1681, SD2, HD1, presented a report (Con. Com. Rep. No. 46) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 46 S.B. No. 1681, SD2, HD1, CD1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1681, SD2, HD1, CD1, were

made available to the members of the House at 11:30 o'clock a.m.

Representative Toguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1699, SD1, HD2, presented a report (Conf. Com. Rep. No. 47) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 47 on S.B. No. 1699, SD1, HD2, CD1, was deferred and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1699, SD1, HD2, CD1 were made available to the members of the House at 11:30 o'clock a.m.

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 293, HD1, SD1, presented a report (Conf. Com. Rep. No. 48) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 48 on H.B. No. 293, HD1, SD1, CD1, was deferred and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 293, HD1, SD1, CD1 were made available to the members of the House at 11:30 o'clock a.m.

At 1:25 o'clock p.m., the Chair declared a recess, "for the purpose of receiving Conference Committee Reports for decking."

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 919, SD1, presented a report (Conf. Com. Rep. No. 49) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 49 on H.B. No. 919, SD1, CD1, was deferred and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 919, SD1, CD1 were made available to the members of the House at 5:30 o'clock p.m.

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 300, SD1, presented a report (Conf. Com. Rep. No. 50) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 50 on H.B. No. 300, SD1, CD1, was deferred and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 300, SD1, CD1, were made available to the members of the House at 5:30 o'clock p.m.

Representative Nakamura, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 126, SD1, HD1, presented a report (Conf. Com. Rep. No. 51) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 51 on S.B. No. 126, SD1, HD1, CD1, was deferred and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 126, SD1, HD1, CD1, were made available to the members of the House at 5:30 o'clock p.m.

Representative Segawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 733, SD1, presented a report (Conf. Com. Rep. No. 52) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 52 on H.B. No. 733, SD1, CD1, was deferred and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 733, SD1, CD1, were made available to the members of the House at 5:30 o'clock p.m.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock, a.m. tomorrow, Thursday, April 23, 1981.

FIFTY-NINTH DAY

Thursday, April 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 Vice Speaker presiding.

The Divine Blessing was invoked by the Reverend Wayne Gau of Saint Columba's Celtic Catholic Church, after which the Roll was called showing all members present with the exception of Representatives de Heer, Kawakami, Kiyabu, Kunimura, Morioka, Peters and Yamada, who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Twenty-Seventh, Twenty-Ninth, Thirty-Fifth, Forty-Third, Forty-Fifth, Forty-Eighth and Fiftieth 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-Seventh, Twenty-Ninth, Thirty-Fifth, Forty-Third, Forty-Fifth, Forty-Eighth and Fiftieth Days were approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 638 to 647-A) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 638) transmitting Senate Concurrent Resolution No. 76, SD 1, requesting an interim review of the Hawaii motor carrier industry by the Attorney General and the Legislative Auditor, which was adopted by the Senate on April 22, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 639) transmitting Senate Concurrent Resolution No. 80, requesting the Public Utilities Commission to report to the Legislature concerning comprehensive energy reports by public utilities, which was adopted by the Senate on April 22, 1981, was placed on file.

By unanimous consent, further action on S.C.R. Nos. 76, SD 1, and 80 was deferred.

A communication from the Senate (Sen. Com. No. 640) returning House Concurrent Resolution No. 241 which was adopted by the Senate on April 22, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 641) returning House Concurrent Resolution No. 242 which was adopted by the Senate on April 22, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 642) returning House Bill No. 779, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF REGULATORY AGENCIES", which passed Third Reading in the Senate on April 22, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 643) returning House Bill No. 793, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS", which passed Third Reading in the Senate on April 22, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 644) returning House Bill No. 1007, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS FOR LEGISLATIVE RELIEF", which passed Third Reading in the Senate on April 22, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 645) returning House Bill No. 1158, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", which passed Third Reading in the Senate on April 22, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 646) returning House Bill No. 1334, entitled: "A BILL FOR AN ACT RELATING TO REVENUE BONDS OF THE STATE", which passed Third Reading in the Senate on April 22, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 647) returning

House Bill No. 1873, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", which passed Third Reading in the Senate on April 22, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 647-A) returning House Concurrent Resolution No. 158, SD 1, which was adopted by the Senate on April 23, 1981, was placed on file.

By unanimous consent, H.C.R. No. 158, SD 1, was placed on the Clerk's desk.

At this time, Representative Rohlfing introduced to the members of the House and audience three Senators from the American Samoan Legislature (Fono), as follows: Senator Pele T., President Pro Tempore; Senator Pele Ivi, "a member of the legal profession of American Samoa, a colleague of mine when I served there;" and Senator Mariota Tuiasosopo. "They are high Chiefs elected by County Councils rather than by popular election but serve in the bicameral Fono. Mr. Speaker, the Senators were on the flight last night with South Pacific Island Airways, and we all enjoyed the flight very much. Thank you, Mr. Speaker."

SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the rules were suspended for the purpose of considering certain resolutions.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 633, congratulating William J. Kimi, Jr., "Uncle Billy," on his selection as the 1981 Hawaiian Businessman of the Year, which was adopted on April 10, 1981, was read by the Clerk.

Representative Segawa then rose to introduce the honoree, stating:

"Mr. Speaker, honorable colleagues, ladies and gentlemen, this morning, it is a real privilege for me to recognize a self-made man from the Big Island who is to be honored by his Hawaiian Businessmen Club.

William J. Kimi, Jr., affectionately known to all as 'Uncle Billy', and this man is a human dynamo. He is involved in building, he is involved in promotions, and he is involved in his own hotel in Hilo and also in the recently acquired Kona Bay Hotel which was formerly part of the Kona Inn.

Uncle Billy's hotels, somehow, consistently enjoyed a better than average occupancy rate in spite of the ups and downs of the tourist business, and the reason is Uncle Billy himself -- his personality, his aloha spirit and his promotional ideas. Uncle Billy finds people who are at his hotel who are celebrating their birthdays, their anniversaries, and recognizes them. You may find the hotel lobby full of anthuriums which is free for the taking and if fruits are in season -- lichees, guava, cherrymoyas -- they are all for you for free.

Mr. Kimi, or 'Uncle Billy', as we know him, you will find that his hotels are a family 'ohana' hotel. So this morning, it is a real pleasure for me to recognize Uncle Billy and who, incidentally, whose father was a former legislator, serving as a House and Senate member in the early '20's."

Representative Segawa then introduced the honoree, "Uncle" William J. Kimi, Jr., and his lovely wife, Olive Leilani Kimi, and other members of the family who were seated in the gallery, as follows: Sandra and Richard Whiting; Kimo and Jeanne Kimi; Defanie and Moke Moenpure. "Incidentally, Moke is an Iranian and I don't know where he picked up the name 'Moke' but I think it is very appropriate"; Billy Kimi, III; and Tracy Kimi.

Representative Isbell then presented a pikake lei to the honoree while Representative Matsuura presented him with a certified copy of the resolution.

The following resolutions (H.R. Nos. 725 to 727) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 725) recognizing and commending the Aiea Senior Citizens Club for its program of outstanding public service to the students of Aiea High School and their parents was jointly offered by Representatives Okamura, Chun, Aki, Albano, Anderson, Andrews, Baker, de Heer, Dods, Fukunaga,

D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakasato, Narvaes, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Wong.

On motion by Representative Okamura, seconded by Representative Chun and carried, H.R. No. 725 was adopted.

Representative Okamura then rose and stated:

"Mr. Speaker, I am sure that we are all familiar with various organizations which have been established for and by senior citizens in recent years. Senior citizen clubs are organized for the social, recreational, and other needs of their members. This morning, we are honoring the dedication and outstanding community service of an exceptional senior citizens organization -- Aiea Senior Citizens Club.

Mr. Speaker, this past school year, the ten-person volunteer group from the Aiea Senior Citizens Club, whom we have before us, has enthusiastically devoted their time and energy every school day to contact the parents of Aiea High School students who are absent from school. As part of their service, this group of public-spirited volunteers makes nearly 200 telephone calls a day from the school. Through these phone calls, both the school and the parents of Aiea High School students benefit. The school receives valuable assistance in monitoring and controlling student absences and the parents receive prompt notice and a demonstration of concern from the school whenever their child is absent from classes. A limited staff of Aiea High School would not otherwise be able to notify or inquire of all parents of their child's absence on a daily basis. In performing this service, these volunteers support our common goal that all students attend school regularly in order to receive the uninterrupted education they need to become responsible, effective citizens.

I firmly believe that volunteers of Aiea Senior Citizens Club should be honored and commended for

servicing their community so well."

Representative Okamura then introduced the following "dedicated individuals who have made possible the Aiea Citizens Club's public service program to Aiea High School," as follows: Mrs. Rita Lau, President of the Aiea Senior Citizens Club; Mr. Thomas Honnaka, Vice Principal, Aiea Community School for Adults, "who was instrumental in starting this program"; Mrs. Margaret Ching, Mrs. Josephine Demarke, Mrs. Dorothy Fujita, Mrs. Violet Kanda, Mrs. Helen Lau, Mrs. Sue Nakahara, Mr. John Oka, Mrs. Satoko Sadamaru and Mrs. Kinue Yanagawa, volunteers.

Representative Okamura then asked Mr. Richard Handa, Principal of Aiea High School, who was in the gallery to stand and be recognized.

Representatives G. Hagino, Ige, Baker, Nakasato, Albano, Aki, Takitani, Shito, Tungpalan and Chun then presented floral leis to the honorees while Representative Okamura presented them with certified copies of the resolution.

Representative Chun then rose and stated:

"Mr. Speaker, I would be remiss if I do not say anything about this good group of seniors that we have here today. They have what is called the Aiealani Senior Citizens Group and they meet every Monday. Volunteering is not the only thing they do. They also do a lot of social work for those who are more unfortunate than they are. They go to other senior citizens clubs and teach them how to dance, and teach them the athletic things that they themselves do. There are about 250 of these senior citizens in their group and, today, I am very happy and very glad they came to see us and that we are honoring them.

Thank you, Mr. Speaker."

A resolution (H.R. No. 726) congratulating Jacqueline Ohai for her outstanding representation of Hawai'i in the National Mrs. America Pageant was jointly offered by Representatives Wong, Toguchi, Aki, Anderson, Chun, Honda, Marumoto, Narvaes, Okamura, Segawa and Shito.

On motion by Representative Wong, seconded by Representative Toguchi and carried, H.R. No. 726 was adopted.

Representative Wong then rose and stated:

"Mr. Speaker, Mrs. Jacqueline Ohai has been and is the perfect representation of the talents of Hawaii's working women, combining marriage and family responsibilities with a highly successful career. Jackie represents all the charm and warmth of Hawaii's women and, obviously, reflects the views, aspirations and versatility of today's contemporary American homemaker. We are proud of her continued pursuit to exemplify the virtues and ideals of the women of Hawaii."

Representative Wong then presented Mrs. Jacqueline Ohai, "the very lovely and gracious Mrs. Hawaii of 1981." Accompanying Mrs. Ohai was her husband, Luan, and two sons, David and Ben.

Representative Toguchi presented Mrs. Ohai with a bouquet of red roses while Representative Wong presented her with a certified copy of the resolution.

A resolution (H.R. No. 727) congratulating the Congressional Medal of Honor Society and its members on the occasion of its biennial convention to be held in Hawaii on November 8-12, 1981 was jointly offered by Representatives Peters, Aki, Anderson, Baker, Blair, Chun, de Heer, Dods, D. Hagino, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Liu, Matsuura, Medeiros, Monahan, Nakamura, Narvaes, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Shito, seconded by Representative Medeiros and carried, H.R. No. 727 was adopted.

At this time, Representative Shito rose and stated:

"Mr. Speaker and members of this honorable body, it is my honor and privilege to introduce three Medal of Honor recipients who are currently stationed in Hawaii. They are wearing around their necks the blue and white ribbon and the Medal of Honor signifying their acts of heroism.

First, permit me to say a few things about Sergeant John F.

Baker, Jr. He was a Private First Class in the 25th Infantry Division in Vietnam on November 5, 1966 when his company came under intense enemy fire and the lead man was killed instantly. Sergeant Baker moved to the head of the column and, together with another soldier, knocked out two enemy bunkers. In the fierce combat that followed, Sergeant Baker was blown from his feet by enemy grenade, single-handedly destroyed a bunker before another soldier was wounded, and silenced another bunker. Evacuating his wounded comrade, he replenished his ammunition and returned to the forefront to continue the fight. After evacuating several wounded men, he returned to cover the deployment of the unit. In the citation which accompanied his award, he was commended for 'selfless heroism, indomitable fighting spirit and extraordinary gallantry which were directly responsible for saving the lives of several of his comrades and inflicting serious damage on the enemy.'

The second individual, Staff Sergeant Franklin D. Miller of the Fifth Special Forces Group, First Special Forces, received his medal for action at Kontum Province in Vietnam on January 5, 1970. As a team leader of an American-Vietnamese -- range reconnaissance patrol operating deep within enemy territory, Sergeant Miller was leading his patrol forward from the helicopter insertion point when one of the team members tripped a hostile booby-trap which wounded four soldiers. Staff Sergeant Miller, knowing that the explosion would alert the enemy, quickly administered first aid to the wounded and directed the team into positions across a small stream bed at the base of a steep hill. Within a few minutes, he saw the lead element of what is estimated to be a platoon-size enemy force moving towards his location. Concern for the safety of his men, he directed the small team to move up the hill to a more secure position while he remained alone to meet the attack. Sergeant Miller single-handedly repulsed two determined attacks by the numerically superior enemy force and caused them to withdraw in disorder. Rejoining his team, he established contact with the air controller to direct the evacuation of the patrol, but the only suitable location in the heavy jungle was a bomb crater some 150 meters from the team location. After scouting the route to the crater, Sergeant Miller led his men to the site where, just as the evacuation helicopter

prepared to move in, the enemy launched a savage automatic weapon and grenade attack against the beleaguered team, driving off the rescue helicopter. Sergeant Miller led his team in a valiant defense and, although seriously wounded and with every man in his patrol a casualty, he moved forward to again single-handedly meet the hostile attackers. From his exposed position, he gallantly repelled to attacks by the enemy before a friendly relief force reached the patrol location. Sergeant Miller was cited for gallantry, intrepidity in action, and selfless devotion to the welfare of his comrades.

The third Medal of Honor recipient, Sergeant Robert M. Patterson, was a member of Troop B, Second Squadron, 17th Calvary near La Chu in Vietnam on May 6, 1968, during an assault against a North Vietnamese Army battalion entrenched in a heavily fortified position. When the leading squad of the Third Platoon was pinned down by heavy interlocking automatic weapon and rocket control grenade fire from two enemy bunkers, Sergeant Patterson and the two other members of his assault team moved forward under a hail of enemy fire to destroy the bunkers with grenade and machine-gun fire. Observing that his comrades were being fired upon from a third enemy bunker covered by enemy gunners in one-man spider holes, Sergeant Patterson, with complete disregard for his safety and ignoring the warning of his comrades that he was moving into a bunker complex, assaulted and destroyed the position. Although exposed to intensive small arm and grenade fire from the bunkers and a mutually supporting placements, Sergeant Patterson continued his assault upon the bunkers which were impeding the advance of his unit. He single-handedly destroyed by rifle and grenade fire five enemy bunkers, killed eight enemy soldiers and captured seven weapons. His dauntless courage and heroism inspired his platoon to resume the attack and to penetrate the enemy defense position.

Mr. Speaker and members of his honorable body, today, we have our three honored guests, now stationed in Hawaii, and we are pleased that they are here in this chamber this morning."

Representative Shito then asked the three Medal of Honor recipients to rise and be recognized, whereupon they received a standing ovation from the members of the House.

Representatives Chun, Hashimoto and Hirono then presented white carnation leis to the honorees while Representative Shito presented them with certified copies of the resolution.

At 12:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair, "for the privilege of extending our greetings and aloha to our honorees this morning."

Upon reconvening at 12:32 o'clock p.m., the Speaker assumed the rostrum.

The Chair then directed the Clerk to note the presence of Representatives de Heer, Kawakami, Kunimura, Morioka and Yamada.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 45, 60, 63, 76 and 80) were disposed of as follows:

<u>S.C.R. Nos.</u>	<u>Referred to:</u>
45	Committee on Finance
60	Jointly to the Committees on Consumer Protection and Commerce and Housing, then to the Committee on Finance
63	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs; Energy, Ecology and Environmental Protection; and Health
76	Committee on Transportation, then to the Committee on Finance
80	Jointly to the Committees on Consumer Protection and Commerce and Energy, Ecology and Environmental Protection, then to the Committee on Finance

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1149 on S.B. No. 1472, SD 2, on Third Reading:

By unanimous consent, action was deferred one day.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1160) recommending that H.R. No. 509 be adopted.

Representative Kunimura moved that the report of the Committee be adopted and H.R. No. 509 be adopted, seconded by Representative Hashimoto.

Representative Liu then rose and stated:

"Mr. Speaker, I shall be voting 'no' on this resolution and I would just like to make some short comments as to why.

I think the resolution is somewhat misdirected. I think if there is a problem, and I am willing to assume that there may be a problem with applicants of certain ethnic groups to the University, that the problem lies, perhaps not with the University system in its acceptance procedures, but rather, and perhaps, our high schools and lower grade levels.

For that reason, Mr. Speaker, I shall be voting against this resolution.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 509, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO STUDY THE UNDERREPRESENTATION OF ETHNIC GROUPS IN THE STUDENT POPULATION OF THE UNIVERSITY SYSTEM", was adopted, with Representatives Liu, Narvaes and Sakamoto voting no.

Representatives Takitani and Segawa, for the Committees on Public Employment and Government Operations and Health, presented a joint report (Stand. Com. Rep. No. 1161) recommending that H.R. No. 581 be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.R. No. 581, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF STATUTES AND REGULATIONS TO ALLOW PURCHASE OF LABORATORY EQUIPMENT

BY SPECIFICATION", was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1162) recommending that H.R. No. 401 be referred to the Committee on Finance.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.R. No. 401, entitled: "HOUSE RESOLUTION 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 referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1163) recommending that H.R. No. 336, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.R. No. 336, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN INVESTIGATION INTO THE NEED FOR STORAGE FACILITIES FOR BOATS AND CANOES", 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. 1164) recommending that H.R. No. 629, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 629, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON LONG-RANGE PLANS FOR DEALING WITH PERIODIC DROUGHTS", 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. 1165) recommending that H.R. No. 539 be referred to the Committee on Finance.

On motion by Representative Levin,

seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 539, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON HAWAII'S REGISTER OF HISTORIC PLACES", 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. 1166) recommending that H.R. No. 609 be referred to the Committee on Legislative Management.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 609, entitled: "HOUSE RESOLUTION REQUESTING AN INTERIM REVIEW OF THE FEASIBILITY OF ESTABLISHING A PUBLIC LAND BANKING PROGRAM IN HAWAII", was referred to the Committee on Legislative Management.

Representatives Sakamoto, Baker and Takamine, for the Committees on Water, Land Use, Development and Hawaiian Affairs; Energy, Ecology and Environmental Protection; and Agriculture, presented a joint report (Stand. Com. Rep. No. 1167) recommending that H.R. No. 572 be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Fukunaga and carried, the joint report of the Committees was adopted and H.R. No. 572, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENTS OF AGRICULTURE AND LAND AND NATURAL RESOURCES TO ENTER INTO AN AGREEMENT WITH THE U.S. NATIONAL PARK SERVICE FOR THE USE OF THE GREENHOUSE FACILITY AT THE VOLCANOES NATIONAL PARK", was referred to the Committee on Finance.

Representatives D. Hagino and Ige, for the Committees on Employment Opportunities and Labor Relations and Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 1168) recommending that H.C.R. No. 234 be adopted.

On motion by Representative D. Hagino, seconded by Representative Ige and carried, the joint report of the Committees was adopted and H.C.R. No. 234, entitled;

"HOUSE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA) YOUTH PROGRAMS", was adopted, with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros, Monahan, Narvaes, Rohlfing and Wong voting no.

Representatives D. Hagino and Segawa, for the Committees on Employment Opportunities and Labor Relations and Health, presented a joint report (Stand. Com. Rep. No. 1169) recommending that H.C.R. No. 239 be adopted.

On motion by Representative D. Hagino, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.C.R. No. 239, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. CONGRESS TO EXEMPT HAWAII'S PREPAID HEALTH CARE ACT FROM THE PREEMPTION PROVISION OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974", was adopted.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1170) recommending that H.R. No. 571 be adopted.

On motion by Representative Shito, seconded by Representative Honda and carried, the report of the Committee was adopted and H.R. No. 571, entitled: "HOUSE RESOLUTION REQUESTING PRIVATE DEVELOPERS TO SHOWCASE AFFORDABLE HOUSING UNITS DURING THE 25TH ANNIVERSARY PARADE OF HOMES", was adopted.

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. 1171) recommending that S.C.R. No. 31 be adopted.

On motion by Representative Sakamoto, seconded by Representative Matsuura and carried, the joint report of the Committees was adopted and S.C.R. No. 31, entitled: "SENATE CONCURRENT RESOLUTION URGING THE RECOGNITION OF THE IMPORTANCE OF THE PACIFIC BASIN", was adopted.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1172) recommending that H.C.R. No. 171 be adopted.

On motion by Representative Kamali'i, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING CHANGES IN THE BLOOD QUANTUM REQUIREMENTS FOR LESSEES OF HAWAIIAN HOME LANDS", was adopted.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1173) recommending that H.R. No. 377 be adopted.

On motion by Representative Kamali'i, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 377, entitled: "HOUSE RESOLUTION CONCERNING CHANGES IN THE BLOOD QUANTUM REQUIREMENTS FOR LESSEES OF HAWAIIAN HOME LANDS", was adopted.

Representatives Baker and Sakamoto, for the Committees on Energy, Ecology and Environmental Protection and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1174) recommending that H.R. No. 573, as amended in HD 1, be adopted.

Representative Baker moved that the report of the Committees be adopted and H.R. No. 573, HD 1, be adopted, seconded by Representative Sakamoto.

Representative Rohlfling then rose and stated:

"Mr. Speaker, very briefly, in opposition to this resolution. In asking that my vote be recorded 'no', I don't question the substance of this resolution and the good intentions and purposes stated therein; however, I think it is a matter of principle with respect to home rule that we allow the county to proceed with this project which is not funded by State money in its own way. There is an elected Mayor of this county, there is an elected council, and it is my feeling that we should let them do their own thing.

Thank you, Mr. Speaker."

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

H.R. No. 573, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO SEEK AN ALTERNATE SITE FOR ITS HPOWER FACILITY", was adopted, with Representatives Rohlfling and Sakamoto voting no.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 728 to 736) and concurrent resolutions (H.C.R. Nos. 243 to 245) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 728) expressing condolences to the family of the late O. Vincent Esposito was jointly offered by Representatives Sakamoto, Aki, Albano, Anderson, Blair, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Ikeda, Kamali'i, Kawakami, Kihano, Levin, Monahan, Morioka, Nakamura, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi and Waihee.

On motion by Representative Sakamoto, seconded by Representative Takamine and carried, H.R. No. 728 was adopted by a rising vote.

A resolution (H.R. No. 729) honoring Anna Powell and commending her for being selected by the Honolulu City and County Committee on the Status of Women as one of the twelve outstanding women in our community was jointly offered by Representatives Fukunaga, Taniguchi, de Heer, Aki, Albano, Anderson, Andrews, Baker, Chun, 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, Okamura, Rohlfling, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Fukunaga, seconded by Representative Taniguchi and carried, H.R. No. 729 was adopted.

A resolution (H.R. No. 730) commending the Waianae Hawaiian Civic Club for its Waianae Historic Preservation Project, selected for national recognition and honors at the Second Annual National Maritime Preservation Conference was jointly offered by Representatives Peters, Aki, Blair, Chun, Fukunaga, D. Hagino, Hirono, Ige, Isbell, Marumoto, Matsuura, Medeiros,

Narvaes, Rohlfling, Sakamoto, Say, Segawa, Shito and Stanley.

On motion by Representative Aki, seconded by Representative Matsuura and carried, H.R. No. 730 was adopted.

A resolution (H.R. No. 731) extending congratulations and best wishes to Billie Hauge, nominee for the National Thomas Jefferson Award for outstanding community service was jointly offered by Representatives Peters, Aki, Anderson, Blair, Chun, Fukunaga, D. Hagino, Hirono, Ige, Isbell, Marumoto, Matsuura, Medeiros, Narvaes, Rohlfling, Sakamoto, Say, Shito and Stanley.

On motion by Representative Aki, seconded by Representative Matsuura and carried, H.R. No. 731 was adopted.

A resolution (H.R. No. 732) commending Mr. Ricardo Santiago for his outstanding contributions as an industrious citizen to the benefit of the State of Hawaii and extending best wishes upon his retirement 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, Rohlfling, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Takamine, seconded by Representative Kawakami and carried, H.R. No. 732 was adopted.

A resolution (H.R. No. 733) recognizing the Ahualoa Community Association, Inc., and commending it for outstanding community services rendered 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,

Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Takamine, seconded by Representative Segawa and carried, H.R. No. 733 was adopted.

A resolution (H.R. No. 734) extending recognition and appreciation of the vital role of Hawaii's sugar industry in maintaining the economic well-being of the economy of the State of Hawaii 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, 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 Kawakami and carried, H.R. No. 734 was adopted.

A resolution (H.R. No. 735) congratulating the Hilo County Farm Bureau for being named the "Outstanding County Farm Bureau of the Year for 1980" and for winning this coveted annual award for the third consecutive year 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, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Takamine, seconded by Representative Levin and carried, H.R. No. 735 was adopted.

A resolution (H.R. No. 736) congratulating Marvin S. Fox for achieving the status of life master in the game of bridge was jointly offered by Representatives D. Hagino, Tungpalan, Say, Aki, Albano, Anderson, Baker, Blair, Chun, de Heer, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kawakami, Kihano, Kobayashi, Kunimura, Levin, Marumoto,

Matsuura, Medeiros, Monahan, Nakasato, Narvaes, Okamura, Sakamoto, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Waihee and Peters.

On motion by Representative D. Hagino, seconded by Representative Say and carried, H.R. No. 736 was adopted.

A concurrent resolution (H.C.R. No. 243) honoring the past contributions of the late Joe Louis and extending deepest condolences to his wife Martha, son Joe Jr., and daughters Joyce and Kim was jointly offered by Representatives Sakamoto, Aki, Albano, Anderson, Blair, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Ikeda, Kamali'i, Kawakami, Kihano, Levin, Medeiros, Monahan, Morioka, Nakamura, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Waihee and Yamada.

On motion by Representative Sakamoto, seconded by Representative Takamine and carried, H.C.R. No. 243 was adopted by a rising vote.

A concurrent resolution (H.C.R. No. 244) extending recognition and appreciation of the vital role of Hawaii's sugar industry in maintaining the economic well-being of the economy of the State of Hawaii 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, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Takamine, seconded by Representative Kawakami and carried, H.C.R. No. 244 was adopted.

A concurrent resolution (H.C.R. No. 245) congratulating Lahainaluna High School on its 150th Anniversary was jointly offered by Representatives Honda, Takitani, Andrews, Monahan, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono,

Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Levin, Liu, Marumoto, Matsuura, Medeiros, Morioka, Nakamura, Nakasato, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Honda, seconded by Representative Takitani and carried, H.C.R. No. 245 was adopted.

At this time, Representative Kihano was permitted to make a late introduction and he introduced a former colleague, Meyer Ueoka, a member of the Board of Education.

At 12:44 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

At 12:51 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives stood in recess until 9:00 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives reconvened at 9:17 o'clock p.m.

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 Final Reading on the basis of a modified consent calendar.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 1 on H.B. No. 1437, HD 1, SD 2, CD 1:

Representative Say moved that the report of the Committee be adopted and H.B. No. 1437, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hashimoto.

Representative Ikeda then requested that her remarks, against the bill, be inserted into the Journal and the Chair answered, "after review," whereupon Representative Kamali'i

asked for a recess.

At 9:19 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:21 o'clock p.m.

Representative Ikeda's speech, having been approved by the Chair for insertion into the Journal, is hereby inserted:

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

Mr. Speaker, as I have pointed out previously, this bill and a number of other measures offering excise tax exemptions to particular industries is questionable legislation. Especially in this instance of helping only one particular company with such an exemption, I believe that we have left the area of simple improper legislation and moved to a level of special treatment.

Let me explain some of the reasons I feel compelled to speak so strongly.

First, we have already provided an exemption from use taxes for water carriers. If we add this exemption as well, then the oceanic independence might also be called the tax independent. They will be virtually free of paying their share of taxes.

Further, although extreme, this exemption continues a most unfortunate trend this session to offer not tax relief, but tax discrimination. We all recognize that our revenue collections have been too high, that we have generated a tax surplus of sizeable proportions, and that we must reduce taxation. But reduction is fundamentally different from needed reform if we persist in this manner.

It is the average taxpayer who should benefit from tax cuts. It is the family of four with an income of \$20,000 a year who should receive every exemption possible from excise taxes -- and I feel that it is very poor judgment to believe that all of the people can be fooled into accepting an exemption on a luxury liner as being in their best interests when they are still paying their excise taxes on necessities.

I am in no way opposing the operation, jobs, or services which

this water carrier offers to this State. However, we seem to have lost sight of the basic premise of taxation on such contributions -- they are more than matched by the support given by the people of Hawai'i. This company did not pay for the construction of the harbors it visits on each island, it did not pay for the roads travelled on by passengers to get to those docks, and it did not pay for any of the myriad other elements so vital to their eventual operation.

The excise tax, then, is justified as a payment for the services which they receive from Hawai'i. That is fair and that is right -- neither of which may be said of this bill.

I urge my colleagues to defeat 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. 1437, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Final Reading by a vote of 47 ayes to 3 noes, with Representatives Ikeda, Takitani and Taniguchi voting no, and Representative Kiyabu being excused.

Conf. Com. Rep. No. 2 on S.B. No. 598, SD 1, HD 1, CD 1:

On motion by Representative Blair, seconded by Representative Baker and carried, the report of the Committee was adopted and S.B. No. 598, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Lacy voting no, and Representative Kiyabu being excused.

The Chair directed the Clerk to note that H.B. No. 1437 and S.B. No. 598 had passed Final Reading at 9:21 o'clock p.m.

Conf. Com. Rep. No. 3 on H.B. No. 769, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 4 on H.B. No. 1530, HD 1, SD 1, CD 1:

On motion by Representative Takamine, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1530, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PRODUCT PROMOTION AND MARKET DEVELOPMENT", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Rohfling voting no, and Representative Kiyabu being excused.

The Chair directed the Clerk to note that H.B. No. 1530 had passed Final Reading at 9:22 o'clock p.m.

Conf. Com. Rep. No. 5 on S.B. No. 271, SD 1, HD 1, CD 1:

On motion by Representative Say, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 271, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOTELS", having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Ikeda and Kamali'i voting no, and Representative Kiyabu being excused.

The Chair directed the Clerk to note that S.B. No. 271 had passed Final Reading at 9:23 o'clock p.m.

Conf. Com. Rep. No. 6 on H.B. No. 50, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 7 on S.B. No. 526, SD 1, HD 1, CD 1:

On motion by Representative Blair, seconded by Representative Baker and carried, the report of the Committee was adopted and S.B. No. 526, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that S.B. No. 526 had passed Final Reading at 9:24 o'clock p.m.

Conf. Com. Rep. No. 8 on S.B. No. 816, SD 1, HD 1, CD 1:

Representative Blair moved that the report of the Committee be adopted and S.B. No. 816, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hirono.

At this time, Representative Liu rose and asked whether or not the Chairman of the Conference Committee on the part of the House would yield to a question, to which Representative Blair answered in the affirmative.

Representative Liu asked:

"Should this bill pass, if a condominium board has a higher percentage, would this bill negate a higher percentage than which is stated?"

Representative Blair answered:

"No, it sets a minimum requirement of 90 percent."

Representative Liu then thanked the Chair.

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 816, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIME", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Lacy voting no and Representative Kiyabu being excused.

Conf. Com. Rep. No. 9 on S.B. No. 636, SD 1, HD 1, CD 1:

On motion by Representative Blair, seconded by Representative Baker and carried, the report of the Committee was adopted and S.B. No. 636, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 10 on H.B. No. 754, HD 1, SD 1, CD 1:

On motion by Representative Matsuura, seconded by Representative G. Hagino and carried, the report of the Committee was adopted and H.B. No. 754, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING

TO COMMERCIAL FISH CATCH REPORTS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 11 on H.B. No. 770, SD 1, CD 1:

On motion by Representative Matsuura, seconded by Representative G. Hagino and carried, the report of the Committee was adopted and H.B. No. 700, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that S.B. Nos. 816 and 636 and H.B. Nos. 754 and 770 had passed Final Reading at 9:25 o'clock p.m.

Conf. Com. Rep. No. 12 on H.B. No. 212, HD 1, SD 1, CD 1:

On motion by Representative Nakamura, seconded by Representative Baker and carried, the report of the Committee was adopted and H.B. No. 212, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 13 on H.B. No. 204, HD 1, SD 1, CD 1:

On motion by Representative Nakamura, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 204, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 14 on H.B. No. 200, HD 1, SD 1, CD 1:

On motion by Representative Nakamura, seconded by Representative Dods and carried, the report

of the Committee was adopted and H.B. No. 200, HD 1, SD 1, CD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that H.B. Nos. 212, 204 and 200 had passed Final Reading at 9:26 o'clock p.m.

Conf. Com. Rep. No. 15 on S.B. No. 67, SD 1, HD 1, CD 1:

Representative Blair moved that the report of the Committee be adopted and S.B. No. 67, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Kawakami.

Representative Ikeda then rose and requested that her remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Ikeda's remarks are as follows:

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

Mr. Speaker, I have long been concerned about the proper regulation of time sharing and its sales in Hawai'i. The potential for abusive practices and methods in the sale of these units, especially, has troubled a great many people.

This measure, I am happy to see, does much to reassure me that these sales will now be conducted in a more businesslike and responsible fashion. In particular, the licensing of sales firms will promote greater public knowledgeability and company accountability -- a needed and necessary step.

Further, although I had hoped that we could prohibit sales solicitation of time sharing on our beaches and in the streets, there is within this bill at least a provision for full disclosure of intent at the time the approach is made. Highly questionable gimmicks and fast pitches have been a sore spot in time sharing sales -- now, a possible customer will know the difference between a give-away and a take-away.

To additionally foster this distinction, we will now prohibit the taking of any money in a prospective buy

until a contract is signed. I can only assume that such a legal agreement will not easily be signed while sitting on the beach. Just as a legal instrument, I believe potential buyers will experience a greater recognition of the seriousness of what they're doing.

Finally, if these attempts to encourage increased integrity in sales do not -- and I feel that it is impossible for them to ever be fool-proof assurances -- prevent abuses, we will establish by this measure needed rights for and avenues of redress to injured purchasers.

For all of these reasons, I will vote for this bill -- and also continue to monitor where we might offer other, future protections.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 67, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING SALES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that S.B. No. 67 had passed Final Reading at 9:27 o'clock p.m.

Conf. Com. Rep. No. 16 on S.B. No. 508, SD 1, HD 2, CD 1:

Representative Sakamoto moved that the report of the Committee be adopted and S.B. No. 508, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Fukunaga.

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

"Mr. Speaker, we have before us a bill which rewrites and clarifies certain chapters of the Hawaii Revised Statutes. It is an inch thick, a document which probably cost a considerable amount to reproduce, and granted, it is a much needed piece of legislation. However, I would like to bring out a couple of things that I think are important.

Mr. Speaker, many, if not most, of our live coral should

be considered 'threatened or endangered' and a concerted effort to protect these resources should be made. This bill, however, places some of these fragile corals in the realm of commercial licensing.

Mr. Speaker, the Conference Committee report states that your Committee has amended the bill to require the Department to publicly report the net weight harvest of certain species of coral harvested by individual fishermen.

There are some things this bill does not do. The types of coral that are regulated are only those of the pink and gold, all others are not controlled. There is an urgent need to protect all corals before it is too late. Even the harvesting of the common white coral is not without adverse effects. This type of coral serves as food as well as habitat for aquatic life. Uncontrolled harvesting can only lead to ecological disaster. There have been many proposals to place quotas on all types of coral, but we have not seen anything concrete thus far.

I feel that the section of this bill dealing with the destruction also of predators is unenforceable and its ramifications are unknown and makes a mockery of some of our laws. However, this bill does give the Department of Land and Natural Resources the authority to destroy predators deemed harmful to wildlife or game on any game management area, forest reserve, or other lands under the jurisdiction of the Department of Land and Natural Resources.

Mr. Speaker, for clarification, this means that State parks are under the Department of Land and Natural Resources jurisdiction. This bill, with its broad language, would require the Department of Land and Natural Resources to destroy dogs or cats in our State parks. I hope they can determine whether these animals are predators or pets.

Granted, the statutes requires posting of signs at all major points of entrance into the area where predators are to be destroyed. However, our State lands are not fenced in areas; they are mostly wide open areas with many points of access. Accidents are bound to happen and it is a task which seems insurmountably loaded with problems, almost impossible to accomplish.

But, I clearly want to state that

I am for this bill because it has so many good things in it but I felt that we should bring out a couple of the problem areas that may come up later.

Thank you very much."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 508, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII REVISED STATUTES, TITLE 12, CONSERVATION AND RESOURCES", having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Ikeda and Rohlfing voting no, and Representative Kiyabu being excused.

Conf. Com. Rep. No. 17 on H.B. No. 32, HD 1, SD 1, CD 1:

On motion by Representative Toguchi, seconded by Representative Andrews and carried, the report of the Committee was adopted and H.B. No. 32, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB-SHARING PILOT PROJECT IN THE DEPARTMENT OF EDUCATION", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that S.B. No. 508 and H.B. No. 32 had passed Final Reading at 9:30 o'clock p.m.

Conf. Com. Rep. No. 18 on H.B. No. 934, SD 1, CD 1:

On motion by Representative Blair, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 934, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING HOME ADMINISTRATORS ACT", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that H.B. No. 934 had passed Final Reading at 9:31 o'clock p.m.

Conf. Com. Rep. No. 19 on H.B. No. 328, HD 1, SD 2, CD 1:

Representative Blair moved that the report of the Committee be adopted and H.B. No. 328, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hirono.

Representative Blair then rose and requested that some remarks, in favor of the bill, on behalf of the House conferees (Representatives Blair, Hirono, Honda, Shito and Liu) be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

The remarks are hereby inserted:

"The purpose of this measure is to codify previous legislative intent that our State courts interpret our State antitrust statutes, which are similarly worded to federal provisions, in a manner consistent with rulings in both federal courts and administrative tribunals. This bill mandates our State courts to follow federal decisional law in the antitrust area so as to provide certainty and consistent interpretations of our State laws, as much as is possible. The phrase 'judicial interpretations' in the amendment includes rulings by federal district courts, courts of appeals, and the United States Supreme Court, as well as decisions by Federal Trade Commission administrative law judges and opinions by the full commission."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 328, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATIONS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that H.B. No. 328 had passed Final Reading at 9:32 o'clock p.m.

Conf. Com. Rep. No. 20 on H.B. No. 33, HD 2, SD 1, CD 1:

Representative Toguchi moved that the report of the Committee be adopted and H.B. No. 33, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Takitani.

Representative Toguchi then requested that his statement, in support of

the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Toguchi's remarks are hereby inserted:

"Mr. Speaker, I rise to speak in favor of House Bill 33, House Draft 2, Senate Draft 1, Conference Draft 1.

Mr. Speaker, the purpose of this bill is to place the administration of our public libraries directly under the State Board of Education. Presently, all public library services in Hawaii come under the State Superintendent of Education, with the State Librarian reporting to the Superintendent of Education.

As provided in this bill, the State Librarian will be responsible and accountable directly to the Board for all of the State's public library programs. The Superintendent of Education will continue to maintain the responsibility of our public schools and public school libraries.

Mr. Speaker, I believe this bill presents us with an opportunity to improve and strengthen the ability of our public libraries. This is a valuable public service that often gets overlooked. It is a community resource, available to all of our citizens, whether they be young or old, rich or poor, healthy or handicapped. We all know that our public library services have suffered cutbacks in manpower, in the hours that they are open to the public, and in their efforts to replace and expand their inventory of books and other materials.

We have long discussed and advocated ways in which we can improve and strengthen our public library system and I think this is a step in the right direction.

For these reasons, Mr. Speaker, I urge all of my colleagues to vote in favor 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. 33, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES", having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Repre-

sentatives Sakamoto and Say voting no, and Representative Kiyabu being excused.

The Chair directed the Clerk to note that H.B. No. 33 had passed Final Reading at 9:33 o'clock p.m.

Conf. Com. Rep. No. 21 on H.B. No. 14, HD 1, SD 1, CD 1:

On motion by Representative Blair, seconded by Representative Baker and carried, the report of the Committee was adopted and H.B. No. 14, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CONTRACTS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 22 on H.B. No. 1769, HD 1, SD 1, CD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 1769, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 23 on H.B. No. 1511, HD 1, SD 2, CD 1:

On motion by Representative Blair, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 1511, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that H.B. Nos. 14, 1769 and 1511 had passed Final Reading at 9:34 o'clock p.m.

Conf. Com. Rep. No. 24 on H.B. No. 393, HD 1, SD 1, CD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 393, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES",

having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 25 on H.B. No. 567, HD 1, SD 2, CD 1:

Representative Nakamura moved that the report of the Committee be adopted and H.B. No. 567, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Taniguchi.

Representative Say 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 Say's remarks are hereby inserted:

"Mr. Speaker, I stand in support of H.B. No. 567, as amended by the Committee on Conference.

As it is now, the offense of prostitution -- in and of itself -- is a petty misdemeanor. However, it negates the fact, according to sufficient evidence and strong testimony, that prostitution occurs often enough in tandem with the serious crimes of violence and against property to warrant establishing mandatory fines and imprisonment for persons convicted of the offense of prostitution.

Currently, the statute on prostitution is regarded as a guarantee of leniency. After all, according to testimony, less than 6 percent of those charged with prostitution during the past year were actually imprisoned, and fines for those convicted averaged a mere \$100. Two problems arise immediately. First, the guarantee of leniency must be eliminated and replaced by a condition of deterrence to prostitutes operating in the State, in places such as Waikiki where the tourist industry is affected most negatively. Second, \$100 is a mere pittance for someone who derives a livelihood through criminal activities such as prostitution. Raising the fine to a level of \$500 becomes a significant factor in a person's self-deterrence.

The Conference Draft No. 1 of H.B. No. 567 thereby establishes mandatory fines and imprisonment

for persons convicted of the offense of prostitution. For a first-time offense, the court is mandated to impose a fine of \$500 and retains discretion to impose a sentence of imprisonment up to 30 days. If default to pay the \$500 fine is not contumacious or insubordinate, the court may order the person, instead of paying the fine, to perform community services as provided by Section 706-605(1)(f) of the HRS.

For any subsequent offense, the court is mandated to impose both the \$500 fine and a 30-day term of imprisonment, without possibility of suspension of sentence or probation.

My support of this Conference Draft is not an attempt to dictate morality. Instead, prostitution as a petty misdemeanor is unmistakably in tandem with much more serious crimes of violence and against property. If we remain negligent of this tandem relationship, we are encouraging, not discouraging, commission of more serious crimes.

Also, the Conference Draft is an indirect support of the tourist industry, especially in Waikiki. Again, there is sufficient evidence that many tourists find personal affront by prostitutes. It is obvious that I am duly concerned with maintaining Hawaii's magnetic effect on tourists, not with maintaining barriers to the tourist industry. Let us not help to spoil Hawaii's image in the world market. Let us do something positive, by supporting Conference Draft No. 1 of H.B. No. 567."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 567, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 26 on H.B. No. 585, SD 1, CD 1:

On motion by Representative Nakamura, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 585, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS ACTING AS GUARDIANS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that H.B. Nos. 393, 567 and 585 had passed Final Reading at 9:35 o'clock p.m.

Conf. Com. Rep. No. 27 on H.B. No. 728, HD 1, SD 1, CD 1:

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 728, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 28 on H.B. No. 1103, HD 1, SD 1, CD 1:

On motion by Representative Blair, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 1103, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 29 on H.B. No. 1770, HD 2, SD 1, CD 1:

On motion by Representative Blair, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.B. No. 1770, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES RECOVERY FUND LAW", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that H.B. Nos. 728, 1103 and 1770 had passed Final Reading at 9:36 o'clock p.m.

At 9:36 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:38 o'clock p.m.

Conf. Com. Rep. No. 30 on H.B. No. 1048, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 31 on H.B. No. 247, SD 2, CD 1:

On motion by Representative Blair, seconded by Representative Andrews and carried, the report of the Committee was adopted and H.B. No. 247, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 32 on H.B. No. 1022, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 33 on S.B. No. 1662, HD 2, CD 1:

On motion by Representative Toguchi, seconded by Representative Baker and carried, the report of the Committee was adopted and S.B. No. 1662, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RELIGIOUS HOLY DAYS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that H.B. No. 247 and S.B. No. 1662 had passed Final Reading at 9:39 o'clock p.m.

Conf. Com. Rep. No. 34 on H.B. No. 1680, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 35 on S.B. No. 1476, HD 1, CD 1:

On motion by Representative Takitani, seconded by Representative Andrews and carried, the report of the Committee was adopted and S.B. No. 1476, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 36 on S.B. No. 568, SD 2, HD 2, CD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 568, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that S.B. Nos. 1476 and 568 had passed Final Reading at 9:40 o'clock p.m.

Conf. Com. Rep. No. 37 on S.B. No. 113, HD 1, CD 1:

Representative Honda moved that the report of the Committee be adopted and S.B. No. 113, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Nakamura.

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

"Mr. Speaker, it is perhaps unfortunate that the bill before us comes in two parts. I believe the first section of the bill, or the first paragraph, may have some value. I trust that the conferees got the reason for this provision and I trust to their judgment.

However, the second provision is in the same form as it passed this House on Third Reading. I won't belabor the points that I made at that time; I still think it is a bad bill, and I would like to have my comments on Third Reading incorporated (by reference) at this point on this measure.

Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 113, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CUSTODY AND TREATMENT OF PRISONERS", having been read throughout, passed Third Reading by a vote of 35 ayes to 15 noes, with Representatives Anderson, Blair, Chun, Hashimoto, Kamali'i, Lacy, Levin, Liu, Marumoto,

Monahan, Narvaes, Sakamoto, Takitani, Tungpalan and Wong voting no, and Representative Kiyabu being excused.

The Chair directed the Clerk to note that S.B. No. 113 had passed Final Reading at 9:43 o'clock p.m.

Conf. Com. Rep. No. 38 on H.B. No. 432, SD 1, CD 1:

On motion by Representative Fukunaga, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.B. No. 432, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 39 on H.B. No. 1765, SD 1, CD 1:

On motion by Representative Tungpalan, seconded by Representative Aki and carried, the report of the Committee was adopted and H.B. No. 1765, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAMEHAMEHA DAY CELEBRATION COMMISSION", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 40 on H.B. No. 1590, HD 1, SD 2, CD 1:

On motion by Representative Hirono, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1590, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT", having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Ikeda and Kamali'i voting no, and Representative Kiyabu being excused.

The Chair directed the Clerk to note that H.B. Nos. 432, 1765 and 1590 had passed Final Reading at 9:44 o'clock p.m.

Conf. Com. Rep. No. 41 on S.B. No. 1713, SD 1, HD 1, CD 1:

On motion by Representative Blair, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.B. No. 1713,

SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

The Chair directed the Clerk to note that S.B. No. 1713 had passed Final Reading at 9:45 o'clock p.m.

Conf. Com. Rep. No. 42 on S.B. No. 55, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 43 on S.B. No. 163, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one day.

At 9:45 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:51 o'clock p.m.

STANDING COMMITTEE REPORTS

Representatives Baker and Nakamura, for the Committees on Energy, Ecology and Environmental Protection and Judiciary, presented a joint report (Stand. Com. Rep. No. 1175) recommending that H.R. No. 43 be adopted.

On motion by Representative Baker, seconded by Representative Nakamura and carried, the joint report of the Committees was adopted, and notwithstanding the recommendation of the Committees that H.R. No. 43 be adopted, H.R. No. 43, entitled: "HOUSE RESOLUTION REQUESTING THE CONSIDERATION OF CONSTITUTIONAL PROVISIONS RELATING TO PROPERTY RIGHTS IN REVIEWING SOLAR ACCESS LEGISLATION FOR ENACTMENT INTO LAW", was referred to the Committee on Legislative Management.

Representatives Baker and Nakamura, for the Committees on Energy, Ecology and Environmental Protection and Judiciary, presented a joint report (Stand. Com. Rep. No. 1176) recommending that H.C.R. No. 13 be adopted.

On motion by Representative Baker, seconded by Representative Nakamura and carried, the joint report of the Committees was adopted and notwithstanding the recommendation of the Committees that H.C.R. No. 13 be adopted, H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONSIDERATION OF CONSTITUTIONAL PROVISIONS RELATING TO PROPERTY RIGHTS IN REVIEWING SOLAR ACCESS LEGISLATION FOR ENACTMENT INTO LAW", was referred to the Committee on Legislative Management.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1177) recommending that H.R. No. 680, 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. 680, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DIRECT MEDICAL FACILITIES AND PHYSICIANS TO DISCLOSE MEDICAL RECORDS AND TO CONDUCT EDUCATIONAL PROGRAMS ON DIETHYLSTILBESTROL RELATED DISEASES", was adopted.

Representatives Ige and Segawa, for the Committees on Youth and Elderly Affairs and Health, presented a joint report (Stand. Com. Rep. No. 1178) recommending that H.R. No. 606, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ige, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.R. No. 606, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE WHETHER ANY DUPLICATION IN HEALTH SCREENING SERVICES EXIST BETWEEN THE STATE, ITS COUNTIES, AND THE PRIVATE COMMUNITY HEALTH AGENCIES", was referred to the Committee on Finance.

Representatives Ige and Honda, for the Committees on Youth and Elderly Affairs and Corrections and Rehabilitation, presented a joint report (Stand. Com. Rep. No. 1179) recommending that H.R. No. 632, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ige, seconded by Representative Honda and carried, the joint report of

the Committees was adopted and H.R. No. 632, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING AND THE FAMILY COURT TO REPORT ON PLACEMENT SERVICES AND RELATED CARE PROVIDED TO LOW, MEDIUM, AND HIGH-RISK JUVENILE OFFENDERS", was referred to the Committee on Finance.

Representatives Ige and Chun, for the Committees on Youth and Elderly Affairs and Public Assistance and Human Services, presented a joint report (Stand. Com. Rep. No. 1180) recommending that H.R. No. 607 be referred to the Committee on Finance.

On motion by Representative Ige, seconded by Representative Chun and carried, the joint report of the Committees was adopted and H.R. No. 607, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO PRESENT A PLAN FOR FOSTER HOME PLACEMENTS", was referred to the Committee on Finance.

Representative Ige, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 1181) recommending that H.R. No. 597, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Ige, seconded by Representative Levin and carried, the report of the Committee was adopted and H.R. No. 597, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE APPOINTMENT OF AN INTERIM COMMITTEE OF THE HOUSE OF REPRESENTATIVES WHICH SHALL MAKE RECOMMENDATIONS REGARDING THE CONTINUED FUNDING OF ELDERLY PROGRAMS", was referred to the Committee on Legislative Management.

Representative Segawa, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1182) recommending that H.R. No. 660 be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the majority of the Committee was adopted and H.R. No. 660, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE

FEASIBILITY OF ESTABLISHING A STATE PROGRAM FOR ARTHRITIS PATIENTS IN HAWAII", was referred to the Committee on Finance.

At 9:55 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:58 o'clock p.m.

DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK

By unanimous consent, H.C.R. No. 158, SD 1, was taken from the Clerk's desk.

On motion by Representative Baker, seconded by Representative Fukunaga and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 158, and H.C.R. No. 158, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE OF THE STATE OF HAWAII TO JOIN IN THE PETITION FILED BY AND ON BEHALF OF CITIZENS OF PACIFIC ISLANDS, INTERNATIONAL ORGANIZATIONS AND PACIFIC GOVERNMENTS TO INVESTIGATE THE JAPANESE GOVERNMENT PROPOSAL FOR PACIFIC OCEAN NUCLEAR WASTE DUMPING", was Finally adopted.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 44 on S.B. No. 878, SD 2, HD 2, CD 1:

On motion by Representative Matsuura, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.B. No. 878, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL FISHING VESSELS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Kiyabu being excused.

Conf. Com. Rep. No. 45 on H.B. No. 1267, HD 1, SD 2, CD 1:

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1267, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF PUBLIC BUILDINGS BY BLIND OR VISUALLY HANDICAPPED PERSONS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative

Kiyabu being excused.

The Chair directed the Clerk to note that S.B. No. 878 and H.B. No. 1267 had passed Final Reading at 10:01 o'clock p.m.

At 10:03 o'clock p.m., the Chair declared a recess, "for the purpose of receiving Conference Committee Reports for decking."

CONFERENCE COMMITTEE REPORT

Representative Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 344, HD 1, SD 2, presented a report (Conf.

Com. Rep. No. 53) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 53 on H.B. No. 344, HD 1, SD 2, CD 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. 344, HD 1, SD 2, CD 1, were made available to the members of the House at 6:30 o'clock p.m.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 24, 1981.

SIXTIETH DAY

Friday, April 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 Vice Speaker presiding.

The Divine Blessing was invoked by Reverend Christopher Keahi representing St. Joseph's Church, after which the Roll was called showing all members present.

By unanimous consent, reading of the Journal was deferred.

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. Nos. 648 to 689) were read by the Clerk and disposed of as follows:

A communication from the Senate (Sen. Com. No. 648) transmitting Senate Concurrent Resolution No. 62, SD1, requesting the preparation of a weighted class size formula which was adopted by the Senate on April 23, 1981, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 649) transmitting Senate Concurrent Resolution No. 71 relating to the use of land and facilities designated for educational purposes which was adopted by the Senate on April 23, 1981, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 650) informing the House that the amendments proposed by the House to Senate Bill No. 1050, SD2 were agreed to by the Senate and Senate Bill No. 1050, SD2, HD1 passed Final Reading on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 651) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 14, HD1,

was adopted by the Senate and House Bill No. 14, HD1, SD1, CD1, passed Final Reading on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 652) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 32, HD1, was adopted by the Senate and H.B. No. 32, HD1, SD1, CD1, passed Final Reading on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 653) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 33, HD2, was adopted by the Senate and House Bill No. 33, HD2, SD1, CD1, passed Final Reading on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 654) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 200, HD1, was adopted by the Senate and House Bill No. 200, HD1, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 655) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 204, HD1, was adopted by the Senate and House Bill No. 204, HD1, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 656) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 212, HD1, was adopted by the Senate and House Bill No. 212, HD1, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 657) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 247, was adopted by the Senate and House Bill No. 247, SD2, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 658) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 328, HD1, was adopted by the Senate and House Bill No. 328, HD1, SD2, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 659) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 393, HD1, was adopted by the Senate and House Bill No. 393, HD1, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 660) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 432, was adopted by the Senate and House Bill No. 432, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 661) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 567, HD1, was adopted by the Senate and House Bill No. 567, HD1, SD2, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 662) informing the House that the report of the

Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 585, was adopted by the Senate and House Bill No. 585, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 663) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 733, was adopted by the Senate and House Bill No. 733, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 664) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 754, HD1, was adopted by the Senate and House Bill No. 754, HD1, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 665) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 770, was adopted by the Senate and House Bill No. 770, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 666) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 934, was adopted by the Senate and House Bill No. 934, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 667) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1022, HD1, was adopted by the Senate and House Bill No. 1022, HD1, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 668) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1103, HD1, was adopted by the Senate and House Bill No. 1103, HD1, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 669) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1437, HD1, was adopted by the Senate and House Bill No. 1437, HD1, SD2, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 670) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1511, HD1, was adopted by the Senate and House Bill No. 1511, HD1, SD2, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 671) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1530, HD1, was adopted by the Senate and House Bill No. 1530, HD1, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 672) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1590, HD1, was adopted by the Senate and House Bill No. 1590, HD1, SD2, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 673) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1769, HD1, was adopted by the Senate and House

Bill No. 1769, HD1, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 674) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1770, HD2, was adopted by the Senate and House Bill No. 1770, HD2, SD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 675) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 55, SD1, was adopted by the Senate and Senate Bill No. 55, SD1, HD1, CD1, passed Final Reading on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 676) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 67, SD1, was adopted by the Senate and Senate Bill No. 67, SD1, HD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 677) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 113, was adopted by the Senate and Senate Bill No. 113, HD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 678) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 271, SD1, was adopted by the Senate and Senate Bill No. 271, SD1, HD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 679) informing the House that the report of the Committee on Conference on the disagreeing

vote of the Senate to the amendments proposed by the House to Senate Bill No. 508, SD1, was adopted by the Senate and Senate Bill No. 508, SD1, HD2, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 680) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 526, SD1, was adopted by the Senate and Senate Bill No. 526, SD1, HD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 681) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 568, SD2, was adopted by the Senate and Senate Bill No. 568, SD2, HD2, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 682) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 598, SD1, was adopted by the Senate and Senate Bill No. 598, SD1, HD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 683) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 636, SD1, was adopted by the Senate and Senate Bill No. 636, SD1, HD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 684) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 816,

SD1, was adopted by the Senate and Senate Bill No. 816, SD1, HD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 685) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 878, SD2, was adopted by the Senate and Senate Bill No. 878, SD2, HD2, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 686) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1476, was adopted by the Senate and Senate Bill No. 1476, HD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 687) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1681, SD2, was adopted by the Senate and Senate Bill No. 1681, SD2, HD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 688) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1662, was adopted by the Senate and Senate Bill No. 1662, HD2, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 689) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1713, SD1, was adopted by the Senate and Senate Bill No. 1713, SD1, HD1, CD1, passed Final Reading in the Senate on April 23, 1981, was placed on file.

At this time, Representative Aki introduced three hard working parents from the Head Start Program in the Ewa Beach to Barber's Point area: Susan Jones, Bernice Hiedro and Carol Luna.

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

The House of Representatives reconvened at 11:44 o'clock a.m.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

S.C.R. No. 62 was referred to the Committee on Education, then to the Committee on Finance.

S.C.R. No. 71 was referred jointly to the Committees on Education and Higher Education, then to the Committee on Legislative Management.

SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Kamali'i 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

Stand. Com. Rep. No. 1149 on S.B. No. 1472, SD2, on Third Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 3 on H.B. No. 769, HD2, SD2, CD1 on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 6 on H.B. No. 50, HD1, SD2, CD1 on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Rep. No. 30 on H.B. No. 1048, HD2, SD2, CD1 on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 32 on H.B. No. 1022, HD1, SD1, CD1 on Final

Reading:

On motion by Representative Blair, seconded by Representative Dods and carried, the report of the Committee was adopted and H.B. No. 1022, HD1, SD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS", having been read throughout, passed Final Reading by a vote of 37 ayes to 7 noes, with Representatives Anderson, Ikeda, Kamali'i, Liu, Medeiros, Monahan and Rohlfing voting no and Representatives D. Hagino, Kiyabu, Kunimura, Morioka, Takitani, Yamada and Peters being excused.

The Chair directed the Clerk to note that H.B. No. 1022, HD1, SD1, CD1 had passed Final Reading at 11:45 o'clock a.m.

Conf. Com. Rep. No. 34 on H.B. No. 1680, HD1, SD2, CD1 on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 42 on S.B. No. 55, SD1, HD1, CD1 on Final Reading:

On motion by Representative Shito, seconded by Representative Chun and carried, the report of the Committee was adopted and S.B. No. 55, SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Final Reading by a vote of 37 ayes to 7 noes, with Representatives Andrews, Blair, Kawakami, Matsuura, Nakamura, Say and Toguchi voting no and Representatives D. Hagino, Kiyabu, Kunimura, Morioka, Takitani, Yamada and Peters being excused.

The Chair directed the Clerk to note that S.B. No. 55, SD 1, HD 1, CD 1, had passed Final Reading at 11:47 o'clock a.m.

Conf. Com. Rep. No. 43 on S.B. No. 163, SD1, HD1, CD1 on Final Reading:

By unanimous consent, action was deferred one day.

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

The House of Representatives reconvened at 11:49 o'clock a.m.

Conf. Com. Rep. No. 46 on S.B.

No. 1681, SD2, HD1, CD1 on Final Reading:

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

Conf. Com. Rep. No. 47 on S.B. No. 1699, SD1, HD2, CD1 on Final Reading:

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

Conf. Com. Rep. No. 48 on H.B. No. 293, HD1, SD1, CD1 on Final Reading:

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

Conf. Com. Rep. No. 49 on H.B. No. 919, SD1, CD1 on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 50 on H.B. No. 300, SD1, CD1 on Final Reading:

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

Conf. Com. Rep. No. 51 on S.B. No. 126, SD1, HD1, CD1 on Final Reading:

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

Conf. Com. Rep. No. 52 on H.B. No. 733, SD1, CD1 on Final Reading:

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

STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1183) recommending that S.C.R. No. 40 be adopted.

On motion by Representative Takamine, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.C.R. No. 40 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A CONCERTED EFFORT BY FEDERAL AND STATE OFFICIALS AND AGENCIES TO ELIMINATE FEDERAL REGULATIONS WHICH ADVERSELY AFFECT INTERSTATE AND INTERNATIONAL MARKETING OF MEAT AND POULTRY PRODUCTS", was adopted.

Representatives Blair and Segawa, for the Committees on Consumer

Protection and Commerce; and Health, presented a joint report (Stand. Com. Rep. No. 1184) recommending that H.R. No. 533, as amended in HD1, be adopted.

On motion by Representative Blair, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.R. No. 533, HD1 entitled: "HOUSE RESOLUTION RELATED TO THE CRITICAL SHORTAGE OF REGISTERED NURSES", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1185) recommending that H.R. No. 456, HD1 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 456, HD1 entitled: "HOUSE RESOLUTION 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 adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1186) recommending that H.R. No. 465 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 465 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENTS OF AGRICULTURE AND HEALTH TO FOLLOW THE CURRENT DBCP PESTICIDE STUDIES AND TO REPORT THE FINDING AND RECOMMENDATIONS TO THE LEGISLATURE", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1187) recommending that H.R. No. 518 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 518 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REVIEW THE CURRENT PROCESS OF INITIATING, PRIORITIZING, AND FUNDING CAPITAL IMPROVEMENT PROJECT REQUESTS FOR THE PUBLIC SCHOOLS", was adopted.

Representative Kunimura, for

the Committee on Finance, presented a report (Stand. Com. Rep. No. 1188) recommending that H.R. No. 510, HD1 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 510, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND THE DEPARTMENT OF EDUCATION, STATE OF HAWAII, TO STUDY AGRICULTURAL EDUCATION IN HAWAII", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1189) recommending that H.R. No. 428 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 428 entitled: "HOUSE RESOLUTION REQUESTING A RELOCATION PLAN FOR DEPARTMENT OF EDUCATION RENTAL OFFICES", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1190) recommending that H.R. No. 580, HD1 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 580, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON MEASURES TAKEN TO RESOLVE THE ISSUES RELATING TO THE JOB SHARING PROGRAM", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1191) recommending that S.C.R. No. 29, SD1, HD1 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and S.C.R. No. 29, SD1, HD1 entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO NEGOTIATE INTERSTATE COMPACTS FOR THE DISPOSAL OF LOWLEVEL RADIOACTIVE WASTES", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1192) recommending that H.R. No. 564 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 564 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE CONTINUATION OF COMMUNITY CANCER CONTROL ACTIVITIES", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1193) recommending that H.R. No. 528, HD1 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 528, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO STUDY THE FEASIBILITY OF MORE EQUITABLE DISTRIBUTING OFF-RATIO TEACHERS TO THE ELEMENTARY AND SECONDARY SCHOOLS TO STRENGTHEN PROGRAMS FOR GIFTED AND TALENTED STUDENTS", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1194) recommending that H.R. No. 627, HD1 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 627, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO INVESTIGATE THE FEASIBILITY OF ESTABLISHING A VETERANS FACILITY ON THE NEIGHBOR ISLANDS", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1195) recommending that H.R. No. 656, HD1 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 656, HD1 entitled: "HOUSE RESOLUTION REQUESTING

A STUDY OF THE FUTURE OF THE PINEAPPLE INDUSTRY IN HAWAII", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1196) recommending that H.R. No. 551 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 551 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE, AND DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROJECT THE AMOUNTS OF LAND NECESSARY FOR AGRICULTURE, CONSERVATION, AND URBAN USES", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1197) recommending that H.R. No. 458, HD1 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 458, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO APPOINT MEMBERS AND CONVENE THE STATE ADVISORY COMMITTEE ON DAY CARE SERVICES", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1198) recommending that H.R. No. 557, HD1 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 557, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE INDEPENDENT RANDOM SAFETY INSPECTIONS OF SCHOOL BUSES", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1199) recommending that H.R. No. 535, HD1 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 535, HD1 entitled: "HOUSE RESOLUTION REQUESTING CONTINUATION AND EXPANSION OF THE AFTER-HOURS GERONTOLOGY PROGRAM AT THE

UNIVERSITY OF HAWAII", was adopted.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1200) recommending that H.R. No. 657, as amended in HD1, be adopted.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 657, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO COORDINATE THE DEVELOPMENT OF THE STRATEGY FOR THE MANAGEMENT AND PROTECTION OF THE CULTURAL, NATURAL, AND RECREATIONAL RESOURCES OF NORTH KOHALA WITH THE NORTH KOHALA COMMUNITY ASSOCIATION", was adopted.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1201) recommending that H.R. No. 659 be adopted.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.R. No. 659 entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES ARMY CORPS OF ENGINEERS TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING A SMALL BOAT REFUGE HARBOR NEAR LAUPAHOEHOE POINT ON THE BIG ISLAND", was adopted.

Representative Takamine and Segawa, for the Committees on Agriculture and Health, presented a joint report (Stand. Com. Rep. No. 1202) recommending that H.R. No. 579, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.R. No. 579, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DIVISION OF MILK CONTROL OF THE DEPARTMENT OF AGRICULTURE TO CONDUCT A FEASIBILITY STUDY ON THE SALE OF RAW MILK IN THE STATE OF HAWAII", was referred to the Committee on Finance.

At 11:53 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:59 o'clock a.m.

Representatives Honda and Segawa, for the Committees on Corrections and Rehabilitation and Health, presented a joint report (Stand. Com. Rep. No. 1203) recommending that H.R. No. 671 be referred to the Committee on Finance.

On motion by Representative Honda, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.R. No. 671 entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE DEFICIENCIES IN THE MEDICAL CARE SYSTEM OF THE CORRECTIONAL FACILITIES", was referred to the Committee on Finance.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1204) recommending that H.R. No. 26, HD1 be adopted.

On motion by Representative Hashimoto, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 26, HD1 entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON REGULATION OF CONDOMINIUM CONVERSION", was adopted.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 737 to 747) were read by the Clerk and disposed of as follows:

A resolution (H.R. No. 737) extending best wishes to the 1981 Hawaii State High School Judo team was jointly offered by Representatives Toguchi, Ige, Tungpalan, Taniguchi, de Heer, Nakamura, Hashimoto, G. Hagino, Fukunaga, Wong, Kamali'i, Nakasato, Narvaes, Lacy, Aki, Albano, Anderson, Baker, Chun, Dods, D. Hagino, Hirono, Honda, Isbell, Kawakami, Kihano, Kobayashi, Kunimura, Levin, Liu, Marumoto, Matsuura, Monahan, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani and Waihee.

On motion by Representative Toguchi, seconded by Representative Ige and carried, H.R. No. 737 was adopted.

A resolution (H.R. No. 738) recognizing the newly established "California-Hawaii Agriculture Medfly Project"

(CHAMP) and commending those responsible for its successful operation was jointly offered by Representatives Matsuura, Takamine, Segawa, Isbell, Levin, Aki, Albano, Anderson, Baker, Blair, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Kawakami, Kobayashi, Liu, Marumoto, Medeiros, Monahan, Nakamura, Nakasato, Okamura, Rohlfing, Sakamoto, Say, Shito, Stanley, Taniguchi, Toguchi, Tungpalan and Waihee.

Representative Matsuura moved that the resolution be adopted, seconded by Representative Takamine.

Representative Matsuura rose and stated: "Mr. Speaker, many of us tried to warn the Agriculture Council of California and the USDA of the imminent danger of the fruitfly infestation into California.

Today we have this medfly in California and thanks to the State of Hawaii, we are having a provision of providing the sterile flies to California.

Right now the infestation is covering about ninety square miles in California. If this infestation gets out of control, California will be out about one billion dollars in revenue. This loss is not going to be only to California, but will reflect to us in Hawaii because we import a lot of our fruits and vegetables from California.

We warned that this was going to happen. In fact, I even wrote a Hawaii Five-O script to bring this problem to the attention of the people of the United States. This is the third infestation of this fruitfly into California. If we don't learn from this experience and really don't take preventative measures, we're going to be in great danger in the future.

Fortunately, Hawaii moved very rapidly and this is one thing we should really congratulate the staff of the Department of Agriculture because we're really saving California. But in saving California, this is going to help us because this is the first step in trying to eradicate the fruitfly from Hawaii also."

The motion was put by the Chair and carried, and H.R. No. 738 was adopted.

A resolution (H.R. No. 739) recognizing Mrs. Barbara Jean McKaughan for her outstanding contribution as a

concerned parent and citizen by honoring her as Hawaii's Mother of the Year for 1981 was jointly offered by Representatives de Heer, Fukunaga, Taniguchi, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, Dods, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kawakami, Kihano, Levin, Liu, Marumoto, Matsuura, Monahan, Nakamura, Narvaes, Okamura, Say, Segawa, Shito, Takamine, Takitani, Toguchi, Tungpalan, Waihee and Wong.

Representative de Heer moved that the resolution be adopted, seconded by Representative Fukunaga.

Representative de Heer rose and stated: "Mr. Speaker, it is not often that I get up to do this sort of thing and I try to select the things that we in our district feel are most important. We are very proud of what the McKaughans have contributed to our community in Manoa, the University and the Pacific Basin.

Mrs. McKaughan is quite an outstanding individual; she has worked with people not only in Hawaii but throughout the Pacific rim, New Guinea, Mexico, the mainland and the Phillipines. She is an accomplished linguist and aside from that, is a very wonderful person and a very close personal friend of our family - a really outstanding resident of our community.

I think the resolution is self explanatory. Just a note that on Monday, Mrs. McKaughan will be going to New York to compete in the national competition and I'm sure that our other forty-nine states and territories will be under a tremendous strain to overcome this kind of individual"

At this time, Mrs. McKaughan was introduced to the members of the House. Accompanying Mrs. McKaughan was her husband, Dr. McKaughan and the President of the American Mothers' Committee of Hawaii, Mrs. Anita Moepono.

Representatives Taniguchi, Fukunaga and de Heer presented leis to the honorees and guests and Representative de Heer presented a certificate of the resolution.

A resolution (H.R. No. 740) congratulating Yukito "Tree" and Lillian Kamemoto upon their retirement, expressing the most profound mahalo of the Hawaii State House of Representatives for their exceptional service to the residents of Kalaupapa, and conveying

warmest best wishes for a long, happy, and healthful retirement was jointly offered by Representatives Honda, Takitani, Andrews, Monahan, Aki, Albano, Anderson, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kobayashi, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Nakamura, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Honda, seconded by Representative Andrews and carried, H.R. No. 740 was adopted.

A resolution (H.R. No. 741) congratulating George Mason on being named Hawaii's "Small Business Person of the Year" for 1981 was jointly offered by Representatives Kamali'i, Aki, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Ige, Ikeda, Isbell, Kunimura, Lacy, Levin, Liu, Marumoto, Medeiros, Monahan, Nakamura, Narvaes, Okamura, Say, Segawa, Shito, Stanley, Taniguchi, Toguchi, Tungpalan, Waihee and Wong.

On motion by Representative Kamali'i, seconded by Representative Ikeda and carried, H.R. No. 741 was adopted.

A resolution (H.R. No. 742) congratulating and thanking the members of the legislative intern program of the Chamber of Commerce of Hawaii was jointly offered by Representatives Yamada, Aki, Albano, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Honda, Ige, Isbell, Kawakami, Kihano, Levin, Matsuura, Nakasato, Okamura, Sakamoto, Say, Segawa, Shito, Takamine, Toguchi, Waihee and Peters.

On motion by Representative Takamine, seconded by Representative Albano and carried, H.R. No. 742 was adopted.

A resolution (H.R. No. 743) congratulating David Baker on winning the 1981 Oahu Interscholastic Association individual golf championships and extending best wishes to him in his future golf endeavors was jointly offered by Representatives G. Hagino, Nakamura, Aki, Albano, Andrews, Baker, Dods, D. Hagino, Hashimoto, Honda, Ige, Kihano, Levin, Liu, Marumoto, Nakasato, Okamura,

Say, Segawa, Takamine, Toguchi, Tungpalan and Wong.

On motion by Representative G. Hagino, seconded by Representative Nakamura, H.R. No. 743 was adopted.

A resolution (H.R. No. 744) commending Ruth L. Chow, outgoing chairperson of the Participant Advisory Board, Hawaii State Senior Center was jointly offered by Representatives Waihee, Albano, Nakasato and Narvaes.

On motion by Representative Waihee, seconded by Representative Albano and carried, H.R. No. 744 was adopted.

A resolution (H.R. No. 745) commending World Airways, Inc., for pioneering the lowering of air fares between the U.S. mainland and Hawaii was jointly offered by Representatives Kiyabu, Albano, Anderson, Baker, Dods, D. Hagino, G. Hagino, Hashimoto, Honda, Ige, Ikeda, Kobayashi, Kunimura, Liu, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Say, Segawa, Shito, Stanley, Takamine, Taniguchi, Toguchi, Tungpalan and Wong.

On motion by Representative Stanley, seconded by Representative Shito and carried, H.R. No. 745 was adopted.

A resolution (H.R. No. 746) congratulating Alan K. Anzai for his achievement of the rank of Eagle Scout was jointly offered by Representatives Hashimoto, Tungpalan, Aki, Albano, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Taniguchi, Toguchi and Wong.

On motion by Representative Hashimoto, seconded by Representative Stanley and carried, H.R. No. 746 was adopted.

A resolution (H.R. No. 747) extending Aloha and congratulations to the Society of Plastics Industry, Inc. at their 38th Annual Western Section Conference in Honolulu, Hawaii, May 12-15, 1981 was jointly offered by Representatives Blair, Aki, Albano, Baker, Chun, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Levin, Marumoto, Medeiros,

Segawa, Shito, Takamine and Takitani.

On motion by Representative Blair, seconded by Representative Chun and carried, H.R. No. 747 was adopted.

At 12:07 o'clock p.m., the Chair declared a recess for the purpose of extending the personal congratulations of the members of the House to the honorees, subject to the call of the Chair.

The House of Representatives reconvened at 12:25 o'clock p.m.

At this time, the Speaker assumed the rostrum.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 511, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 511, HD1, and H.B. No. 511, HD1, SD1 having been read throughout, passed Final Reading by a vote of 46 ayes with Representatives Kiyabu, Kunimura, Morioka, Takitani and Yamada being excused.

By unanimous consent, H.B. No. 564, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 564, HD1 and H.B. No. 564, HD1, SD1, having been read throughout, passed Final Reading by a vote of 46 ayes with Representatives Kiyabu, Kunimura, Morioka, Takitani and Yamada being excused.

The Chair directed the Clerk to note that H.B. Nos. 511, HD1, SD1 and 564, HD1, SD1, had passed Final Reading at 12:34 o'clock p.m.

By unanimous consent, H.B. No. 695, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Say, seconded by Representative de Heer and carried, the House agreed to the amendments proposed by the Senate

to H.B. No. 695, HD1, and H.B. No. 695, HD1, SD1, having been read throughout, passed Final Reading by a vote of 46 ayes with Representatives Kiyabu, Kunimura, Morioka, Takitani and Yamada being excused.

By unanimous consent, H.B. No. 721, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 721, HD1, and H.B. No. 721, HD1, SD1, having been read throughout, passed Final Reading by a vote of 46 ayes with Representatives Kiyabu, Kunimura, Morioka, Takitani and Yamada being excused.

The Chair directed the Clerk to note that H.B. Nos. 695, HD1, SD1 and 721, HD1, SD1, had passed Final Reading at 12:35 o'clock p.m.

By unanimous consent, H.B. No. 722, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 722, HD1, and H.B. No. 722, HD1, SD1, having been read throughout, passed Final Reading by a vote of 46 ayes with Representatives Kiyabu, Kunimura, Morioka, Takitani and Yamada being excused.

The Chair directed the Clerk to note that H.B. No. 722, HD1, SD1, had passed Final Reading at 12:36 o'clock p.m.

At 12:36 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 12:38 o'clock p.m.

By unanimous consent, H.B. No. 726, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 726, HD1, and H.B. No. 726, HD1, SD1, having been read throughout, passed Final Reading by a vote of 46 ayes with

Representatives Kiyabu, Kunimura, Morioka, Takitani and Yamada being excused.

By unanimous consent, H.B. No. 729, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 729, HD1, and H.B. No. 729, HD1, SD1, having been read throughout, passed Final Reading by a vote of 46 ayes with Representatives Kiyabu, Kunimura, Morioka, Takitani and Yamada being excused.

By unanimous consent, H.B. No. 781, SD2, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Nakamura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 781, and H.B. No. 781, SD2, having been read throughout, passed Final Reading by a vote of 46 ayes with Representatives Kiyabu, Kunimura, Morioka, Takitani and Yamada being excused.

The Chair directed the Clerk to note that H.B. Nos. 726, HD1, SD1; 729, HD1, SD1 and 781, SD2 passed Final Reading at 12:39 o'clock p.m.

By unanimous consent, H.B. No. 808, HD2, SD1, was taken from the Clerk's desk.

Representative Taniguchi moved that the House agree to the amendments proposed by the Senate to H.B. No. 808, HD2, and H.B. No. 808, HD2, SD1, pass Final Reading.

Representative Ikeda rose to speak against the bill stating: "Mr. Speaker, this bill proposes to transfer amounts collected under the state general excise tax law which are derived from the sale of liquid fuel from the general fund to the state highway fund. I firmly object to this reassigning of funds.

The Senate Committee on Ways and Means, in its report, reaffirms my belief that it is not sound practice to allow taxes to be put aside specifically for the purpose related to the source of the revenues.

This will not solve our age-old problem of funding our state's highways. According to most of the testimony in Ways and Means, this transfer of the general excise tax to the highway fund would only alleviate the problems temporarily. The Senate amendments underscores the fact that this proposal is not a final solution - the amendment limits this diversion of funds between July 1, 1981 and June 30, 1984.

Our taxation theory relies on the concurrence of the people through their elected representatives to make the ultimate determination about the use to tax dollars. Special funds subvert that kind of review and decision making. This bill exemplifies that subversion. Under the equitable tax formula mandated by this bill, the Tax Director would require only gubernatorial approval. We are giving away our legislative prerogatives and ignoring the importance of checks and balances, especially over money.

Mr. Speaker, another aspect of the bill that I find especially disturbing is the Senate Committee on Ways and Means' belief that the transfer of general revenues to special funds would not be a flagrant attempt to circumvent the general fund expenditure ceiling of the state constitution. The Committee on Ways and Means further states that the "spirit of the Constitutional provision is realized and appreciated, but the proposal of this bill has not been found to contravene the constitutional provision and is considered necessary at this time."

Clearly, that Committee does not acknowledge that special funds would act as end runs on necessary limitations to government spending, but in fact, these special funds act as a precedent for other taxes to be diverted into specific pots and ultimately, without regard to legislative overview. If this bill is passed, we are establishing a new budgetary process.

We are forgetting the various studies done over the past twenty years, at a cost of over two-hundred thousand dollars to the state. We are ignoring the recommendations that have been made over and over again.

Among these recommendations are: the elimination of all special fund financing of transportation

programs and the undertaking of funding from the state and county general funds from user and broad-based taxes; the reaffirmation and clarification of responsibilities of the counties in planning, operating, and financing all land mass transit systems for local travel needs; and the transferring of the responsibility for maintenance of the state highway system to the counties while also transferring the state liquid fuel taxing power to the counties.

If we are indeed serious about solving this problem, and, may I add, it is about time that we should be, then we should make an appropriation from the general fund into the highway fund for fiscal year 1981-82. In addition, during the interim, we should begin to consider the alternatives that have been proposed so that we will have a definite, permanent solution to this perennial problem.

For these reasons, Mister Speaker, I will note no on this bill and ask my colleagues to join me."

Representative Narvaes requested that his remarks against H.B. No. 808, HD2, SD1, which was given on the thirty-fifth day be incorporated in the Journal by reference only.

The motion was put by the Chair and carried and the House agreed to the amendments proposed by the Senate to H.B. No. 808, HD2, and H.B. No. 808, HD2, SD1, having been read throughout, passed Final Reading by a vote of 38 ayes to 8 noes, with Representatives Baker, Dods, Ikeda, Kamali'i, Lacy, Monahan, Narvaes and Rohlfing voting no and Representatives Kiyabu, Kuniyura, Morioka, Takitani and Yamada being excused.

The Chair directed the Clerk to note that H.B. No. 808, HD2, SD1, had passed Final Reading at 12:43 o'clock p.m.

By unanimous consent, H.B. No. 822, SD1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 822, and H.B. No. 822, SD1, having been read throughout, passed Final Reading by a vote of 45 ayes to 1 no, with Representative Anderson voting no and Representatives

Kiyabu, Kunimura, Morioka, Takitani and Yamada being excused.

By unanimous consent, H.B. No. 824, HD1, SD2, was taken from the Clerk's desk.

On motion by Representative Aki, seconded by Representative Toguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 824, HD1, and H.B. No. 824, HD1, SD2, having been read throughout, passed Final Reading by a vote of 44 ayes to 2 noes, with Representatives Ikeda and Liu voting no and Representatives Kiyabu, Kunimura, Morioka, Takitani and Yamada being excused.

The Chair directed the Clerk to note that H.B. Nos. 822, SD1 and 824, HD1, SD2 had passed Final Reading at 12:45 o'clock p.m.

At 12:45 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

At 12:50 o'clock p.m., the Chair announced that the House would stand in recess until 5:30 o'clock p.m., tonight.

EVENING SESSION

The House of Representatives reconvened at 5:55 o'clock p.m. with the Vice Speaker presiding.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

Conf. Com. Rep. No. 46 on S.B. No. 1681, SD2, HD1, CD1, on Final Reading:

Representative Nakamura moved that the report of the Committee be adopted and S.B. No. 1681, SD2, HD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Stanley.

Representative Chun rose to speak in favor of the bill stating: "Mr. Speaker, this bill came to my attention last March 30 at the judiciary hearing. I do not know who offered the bill. I did not know who the people were who testified for it, but when I read it, I recognized it as a

good bill.

Members of the House who were here in 1976, I would like to take you back when you passed a law that required that all medical tort claims must be heard by a panel before it could go to a Hawaii State Court of law. That law came because there was a crisis in medical malpractice insurance. The argonaut companies, certain to withdraw from Hawaii, because of the losses they had incurred by many frivolous suits filed against the backers. The backers, rather than go to court, would settle out of court and save many hours of testimony. I was a first year law student when we researched and drafted a bill to address the problem. Our majority leader today, Representative Yamada, was then chairman of the Judiciary Committee, when you passed the bill that then became law, today known as HRS 671. Last year it was amended and was refined.

Mr. Speaker, Senate Bill 1681, SD2, HD1, CD1, is patterned after the medical conciliation panel as amended except for the professionals, not doctors, but architects, engineers, surveyors, therefore called Design Professional Conciliation Panel. The language is the same. The purpose of this bill is to cut down the number of frivolous suits brought against various design professionals. According to testimony heard that evening, today, if a person is aggrieved, and suffers personal or material damage relating to building, he hires a lawyer on a contingency basis and they both sue everyone in sight: the contractor, the designer, the owner, the material supplier, vending companies and building contractors. The intent of the bill is for a panel of people with expertise, to sort out and review the facts of the case, and hear both sides and allow the parties to settle out of court if agreeable. On the contrary, if indeed there is sufficient evidence to indicate that legal action is justified, the parties can go to court. The argument posed against this bill is, "we do not have a crisis like the doctors have, we do not need to pass a bill like this today." Fellow representatives, and members of the House, I sincerely believe that better laws are passed when legislators are free to deliberate, consider and be open minded about issues, not to pass laws in response to a crisis.

The second argument posed against this bill is the small guy will be

afraid to file suit because he will have to pay the panel. The cost incurred to call the panel is one hundred dollars for each three members plus their living expenses to be shared by both parties. If that little man indeed has a valid claim, the panel will decide in his favor. The panel will then allow him damages, and that money is all his, to him alone and not to give one third to his lawyer.

The medical claim conciliation panel started four years ago and has been very successful. Each of you have been given a report by the regulatory agencies about the panel. I quote the report on page one: "Today, after roughly four years of existence, the panel is found to be a success." The panel is playing an important role in the settlement of a majority of malpractice cases. Mr. Speaker, and fellow representatives, this panel will also be a success in preventing frivolous suits against design professionals. I humbly ask for your support for this bill."

Representative Waihee rose to speak in favor of the bill stating: "Mr. Speaker, I do this after great thought and much deliberation. I do not come to this decision very easily. I rise like I have learned from sitting on this side of the room, to speak in favor of this bill with severe reservations.

The bill is indeed paneled after the medical conciliation board. Unfortunately, that is its main weakness. While the idea of conciliation has great merit in today's litigation prone society, we ought to develop panels for which they are established. And the main criticism I would have of this particular concept is that we just went and copied the medical panel statutes without the time, and without the deliberation to indeed make it and target it to the people to whom it is designed.

These differences are major. One of the problems that this bill does not deal with is what will happen in cases of a third party suit. What that means, Mr. Speaker, is if I as a plaintiff sue my developer or sue my contractor, it is not I who joined the architect, it is the contractor. This panel then would be deciding differences between two parties that absolutely have no control over the instigating person who brought the suit about. Another

very crucial point is that the bill, unlike the medical malpractice bill, this bill does not compel necessary parties to come before the conciliation. It deals with only engineers and architects. Many, many disputes involved with construction and home owner design also include suppliers, defective products are probably one of the most important elements in these kind of suits. These people will not be here. The panel will have absolutely no jurisdiction or no compelling way to bring them before this conciliation panel to decide whether they were at fault. And without their presence, and if some decision was made, regarding these individuals, nothing would happen.

Another defect of the bill is that it does not even require the parties' insurance companies to be present. We have absolutely no idea whether the insurance industry will even abide or take seriously the decision of the conciliation panel.

Finally, Mr. Speaker, there has been a rumor that lawyers may not want to support this bill because it would somehow seriously take away our income. Let me assure you, this bill is lawyers' welfare. This bill would be very good for all of us. After saying all of this, you perhaps wonder why I will still vote for the bill.

Despite its problems, this bill has a great deal of merit. We need to do more in our society to bring about conciliation and mediation. This is a very worthy concept. It is only my hope that in the interim we spend time correcting the defects of this bill to make it worthy of the support it has received."

The motion was put by the Chair and S.B. No. 1681, SD2, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS", passed Final Reading by a vote of 47 ayes with Representatives Kiyabu, Kunimura, Morioka and Takitani being excused.

The Chair directed the Clerk to note that S.B. No. 1681, SD2, HD1, CD1, had passed Final Reading at 6:07 o'clock p.m.

Conf. Com. Rep. No. 47 on S.B. No. 1699, SD1, HD2, CD1, on Final Reading:

Representative Toguchi moved that S.B. No. 1699, SD1, HD2, CD1,

having been read throughout, pass Final Reading, seconded by Representative Say.

Representative Toguchi rose to speak in favor of the bill stating: "Mr. Speaker, the purpose of this bill is to require the Board of Education to adopt rules governing the reporting and disposition of violent incidences and to impose sanctions for failures to report such incidents.

It is without question that our public schools should be safe and secure places for students and teachers to carry out the business of learning. We've been made acutely aware from national and local reports and media accounts that incidents of violence and vandalism in the public schools in this state as well as across the nation are increasing in an alarming rate. The result is a school atmosphere marred by fear and intimidation and if our schools are characterized by this kind of unhealthy atmosphere, we cannot expect effective learning to take place, nor can we expect effective teaching to take place. A goal of quality education will not and cannot be fully achieved without positive learning environments marked by warmth and trust.

This bill is the result of numerous in-depth discussions with the Board of Education, the Department of Education, the Hawaii State Teachers Association, the Hawaii Parent, Teacher, Student Association, the Hawaii Crime Commission and the Honolulu Department of the Prosecuting Attorney. It is a bill all of these parties support.

Senate Bill 1699, as amended, mandates the Board of Education to adopt rules requiring that any incident in which a student, officer, or employee of the Department of Education is either threatened, assaulted, or extorted within the meaning of the applicable Hawaii Penal Code sections, be reported to appropriate authorities. It further establishes procedures for disposing of any incidents so reported, and imposes appropriate disciplinary action for failure to report such incidents of violence or threat.

I want to make special note, Mr. Speaker, that in establishing procedures for disposing of any incident reported, it was the intent of the conferees that the Board adopt rules and regulations to insure an appeal process. This is to make sure there

is some recourse available should any dispute occur over the disposition of any reported incident. As a further safeguard to persons making the reports to the appropriate authorities, the bill contains an important provision requiring the state to indemnify and hold harmless from civil liabilities, anyone making such reports in good faith. I believe that this bill carries a clear message of reassurance to students, teachers, and the public at large, that all incidents of threat assaults, extortions will be reported to the proper authorities and receive appropriate follow up. This procedure should also serve to provide a better picture of the magnitude of violence in our schools and we hope, ultimately, reduce the number of violent incidents that our children and public school employees continue to suffer. If properly implemented and administered, this bill and other legislative measures adopted this year, should do much in promoting a safer and secure school environment - one more conducive to learning, one without an atmosphere of fear or intimidation.

Briefly, Mr. Speaker, these are the measures that I just mentioned to improve the school environment, also include H.B. 1523 that passed Final Reading in the House on April 20. That bill amended the law relating to criminal trespass by providing that a person who enters and remains on the premises of any school after a warning to leave by school authorities, or a police officer, shall be guilty of criminal trespass in the first degree, which is a misdemeanor. Additional measures include substantial expansion funding and positions for school security aides, school counselors, vice-principals, compensatory education and intensive basic skills. All these things that I have briefly mentioned are part of our effort to implement prevention or early intervention measures to improve the learning and physical environment in our schools.

In closing, Mr. Speaker, I urge all members of the House to vote in favor of this bill."

The motion was put by the Chair and carried, and S.B. No. 1699, SD1, HD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AND VANDALISM IN THE PUBLIC SCHOOLS", passed Final Reading by a vote of 47 ayes with Representatives Kiyabu, Kunimura, Morioka and Takitani being excused.

The Chair directed the Clerk to

note that S.B. No. 1699, SD1, HD2, CD1, had passed Final Reading at 6:14 o'clock p.m.

Representative Nakamura moved that H.B. No. 293, HD1, SD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Taniguchi.

Representative Ikeda rose to speak in favor of the bill with reservations stating: "Mr. Speaker, in today's society there is clear need to institute more stringent controls on the acquisition of firearms. This bill attempts to do this by requiring the registration of all firearms, not just handguns. And among other provisions, by requiring a minimum ten day waiting period before permits are issued.

I have no objections to most of the provisions of this bill, however, there are a few provisions in this measure which may place an unfair burden on the legal user of firearms. First, in the registration procedure, a gun buyer is required to state the quantity and cost of ammunition in the person's ownership or possession. This requires the gun purchaser to declare all ammunition even if the ammunition is not being used for the gun being registered. Also, the requirement is easily circumvented by purchasing ammunition after registering the firearm. Next, the permit application calls for routine information such as name, address, sex, height, etc., and then information regarding the applicant's mental health history. I agree that this type of information is essential, but it appears however, there are no guarantees that this information will be correct or that it will be verified by the police department. Additionally, to acquire a permit, the applicant must be photographed in addition to being fingerprinted by the police. This is a good idea if we can guarantee these photographs will not be misused. These photographs could easily be used for a type of rogues' gallery that is shown to victims of crimes in which a firearm was used. Finally, this bill provides that a person that has been or is under treatment for significant mental disorder shall not own, possess or control any firearm or ammunition unless

such person has been medically documented to have been cured of the mental disease. It is not clear who or what determines when a mental patient is cured. As you have seen in the past, discharge from a mental institution does not necessarily guarantee a person's mental stability. In addition, there is no provision in this bill which would prevent a blind person from owning a gun. And it is my understanding no restriction exists presently. I am not against the intent of this bill, I only hope we have gone far enough with this legislation to curb the rising tide of violence which affects us all, without burdening the legal users of firearms. I will therefore vote in favor of this bill and will urge everyone to do so likewise."

The motion was put by the Chair and carried, and H.B. No. 293, HD1, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", passed Final Reading by a vote of 45 ayes to 2 noes, with Representatives Kamali'i and Kawakami voting no and Representatives Kiyabu, Kunimura, Morioka and Takitani being excused.

The Chair directed the Clerk to note that H.B. No. 293, HD1, SD1, CD1, had passed Final Reading at 6:17 o'clock p.m.

Representative Nakamura moved that H.B. No. 300, SD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Hirono.

Representative Hirono rose to speak in favor of the bill stating: "Mr. Speaker, I think that it is somehow appropriate that I rise to make my maiden speech on the floor of this House on the sixtieth day of session. All I can say is that I'm glad I found a bill I cared enough about to honor you with my wonderful speech.

This bill has been the subject of intense public interest in the past several weeks and rightfully so, for the issue of rape and our laws in response to it reflect society's view of this most misunderstood of crimes. This bill represents another step toward a better understanding of the crime, and hence, better laws to deal with it.

The bill deletes the term "resistance" from the definition of "forcible compulsion", which is an element of all first and second degree rapes. It is hoped that this deletion will mean that, henceforth, rape trials will focus on the conduct of the attacker, rather than on the responses of the victim. Other than in our current sexual offense statutes no other law involving victims of violent crimes contains a victim resistance provision. Over thirty states do not have victim resistance provisions in their sexual assault laws. In fact, the laws in several states specifically provide that rape victims need not physically or verbally resist their assailants. It is high time that Hawaii joined its sister states in removing a term which often has resulted in the victim, rather than the assailant, being on trial.

I noted at the beginning that rape is a most misunderstood of crimes. With your indulgence, I would like to say a few words about the crime of rape. I had the opportunity to hear Dr. A. Nicholas Groth, one of the foremost authorities on the crime of rape at a recent seminar on sexual assault. One of the most telling comments made by Dr. Groth at the seminar was that the rapist no more rapes because of intense sexual desire than that the alcoholic drinks because of intense thirst. Careful clinical studies of offenders show that rape is in fact serving primarily nonsexual needs relating to power and anger. To regard rape as an expression of sexual desire is not only an inaccurate notion but also an insidious assumption for it results in the shifting of the responsibility for the offense in large part from the offender onto the victim. If the assailant is viewed as one who is sexually aroused and is directing these impulses toward the victim, then, the misconception goes, it must be that the victim has deliberately or inadvertently stimulated or aroused this desire in the assailant through the victim's actions, style of dress, or some such feature. Dr. Groth noted that often, the rapist does not even recall what the victim looked like, thus was responsible for the ensuing attack. The erroneous but popular belief that rape is the result of sexual arousal and frustration creates

the foundation for a whole superstructure of related misconceptions pertaining to the offender, the offense, and the victim.

Rape is a complex problem that needs to be dealt with at all levels - individual, social, cultural, legal, economic, and political. Obviously, more work can be done at the legislative level. For example, we need to look at the high degree of bodily injury to a victim necessary in the current statute before an assailant can even be prosecuted for first degree rape. We need to consider a variety of aggravating circumstances, besides "serious bodily injury", to be included in the category of first degree rape. We need to consider a range of other changes to our sexual offense statutes to ensure adequate protection for the victims of these crimes and to ensure effective prosecution. All this I hope we will do in the interim, pursuant to H.R. No. 466, adopted last week.

In the meantime, I urge all my colleagues to vote for this bill as a step toward an enlightened response to a serious social problem. I would also like to thank all of the thousands of women and other concerned citizens who alerted us to the need to review our sexual assault statutes. Thank you."

Representative D. Hagino rose to add his comments in favor of the bill stating: "Mr. Speaker, I haven't given any speech this session either. As you know the prior speaker is my running mate from the twelfth district and this is her first term. I kept telling her that I'd let her do most of the work because she'd need the experience, and so to continue that tradition, I'd like to have her remarks incorporated as my own. Thank you."

Representative Kamali'i rose to speak in favor of the bill stating: "Mr. Speaker, this measure does much to correct the most glaring errors of our present statutes on rape. The deletion of any reference to resistance by the victim, and a reduction in the twelve month intimacy clause to thirty days are significant refinements of the law. With those amendments we have placed the full burden of prosecution where it properly belongs, on the accused and not the victim.

What perhaps we must now guard

against is that in our eagerness to gain convictions, that we do not lose sight of the equal guarantee of "innocent until proven guilty" which though it may sometimes be frustrating is an essential balance of our justice system.

We have, as a community, come dangerously close to a kind of willingness to forfeit that assurance if it will mean greater security for the average citizen. That temptation is always the underlying cost of violence. We begin to forfeit basic rights in order to have physical security.

We begin to make flawed assumptions about certain neighborhoods or certain groups of individuals. I am troubled by the Statistical Analysis Center's reporting of criminal statistics by ethnic categories. I am troubled by mention of certain regions as patently unsafe.

Criminal violence confuses and frightens us. And sometimes, in an attempt to better understand or somehow make manageable the random and irrational nature of such a threat, we indulge in stereotypes or implies theories of cause which themselves do violence.

I hope that we will continue to work for the idea of total commitment to the prosecution and full punishment of criminal violence within constitutional guarantees. I believe this bill will continue that focus. Thank you."

Representative Ikeda requested that her remarks in favor of H.B. No. 300, SD1, CD1, be inserted in the Journal and the Chair noting that there were no objections, so ordered.

The remarks of Representative Ikeda are as follows:

"Mr. Speaker, last session we enacted major changes in the rape laws of this state. We amended the definition of "sexual intercourse" beyond its ordinary meaning to include penetration or intrusion by any part of the body or by an object; we deleted the references to "he" as the rapist and "she" as the victim, thereby increasing the scope of this crime to include homosexual rape or sexual abuse of a male by a female; and we changed the definition of "forcible

compulsion" to remove the requirements that resistance be "earnest" that the threat of death be "immediate", and substituted "bodily injury" for "serious physical injury". For second and third degree rape, we also deleted the "twelve month intimacy" restrictions which many described as spousal immunity for this crime.

I believe that these changes were significant and necessary. Unfortunately, in two recent and highly publicized rape cases, these amendments had not yet been made. The accused and the victim were both tried under our old laws which required greater proof of violation and of resistance.

When I say that both the accused and the victim were tried, I am not being glib. Many articles speak about the "second rape" of the victim by our laws and judicial proceedings. Only the crime of rape demands resistance from the victim. Only the crime of rape may be prosecuted in such a manner as to bring out the behavior of the victim. And only the crime of rape is judged by the remnants of the community "double standards" about whether the victims "got what they deserved" or "should have known better".

It is this double standard which insists that a woman, in particular, should restrict her actions and responses so as to avoid seeming to invite attack. Someone carrying a great deal of money is not seen as the logical victim of armed robbery and is not assaulted in court for not "resisting" the robbery strenuously enough.

It seems to me that if this state has a genuine commitment to ending violence against women, then we must self consciously become more aware of and work to change our own attitudes about the "proper role" of a rape victim. We cannot continue to refuse prosecution or conviction on the basis of past behavior or the immediate situation of the crime where we may feel that the individual acted unwisely, and we must show a greater willingness to discard the out-moded and dangerous option - that death is to be preferred to dishonor.

Our assumptions about rape are what most need to be changed, if we are to have a successful

prosecutions for rape in this state.

Recently, there has been a shift towards our rape laws. I believe this has been shown through amendments made by the Conference Committee on H.B. No. 300, SD1, CD1, "relating to offenses against the person". Such amendments include the deletion of "resistance" from the definition of "forcible compulsion" (Section 2 of the bill, HRS 707-700). This deletion is an essential step towards clarifying the definition of rape.

A second amendment reduces the "voluntary social companion" provision from twelve months to thirty days. Although I would have preferred that the provision be rid of altogether, this concession made by the Conference Committee shows a definite change in thought. Perhaps the next step in improving our rape laws will be to delete this clause.

Mr. Speaker, these changes would serve as a conscious notice that we intend to treat rape as the crime of violence which it is, and not an imperfect reflection of our own changing prejudices against women. I strongly urge the passage of this bill."

Representative Rohlfing rose to speak in favor of the bill stating: "Mr. Speaker, very briefly, in recognition of my colleague across the hall making her first major speech, I can't let this moment pass because it is a significant bill.

I think that the Committees working on the bill, both the House and Senate Judiciary Committees are to be commended for a very reasoned and reasonable approach to an amendment to a very difficult area of our penal code. They did, as this body and the body across the building, responded to a public outcry to a particular, very significant and prominently publicized verdict, but we are, as is the Senate, a deliberative body, and while the community can be excited about something, we must legislate for a longer term and take the bigger view. I think that in the work that was done on the specific change, that was deliberative and that we responded to the bosses, our people, in a manner that we can

be proud of.

There has been considerable study in the area in the past by the Crime Commission. A lot of studies gather dust in the files: our files, other people's files, cabinets, bureaus, wherever, until something wakes us up. I don't think we should stop with the passage of this measure. I think we should build on what has been done here, what the studies that have been made in the past, and as Representative Hirono says, go on with the studies that have been suggested by other pieces of legislation passing this body.

We do need our laws up to the high standards of which everyone is recognized as having an equal right not for interference by other people or being subject to public or physical abuse.

The crime of rape will not go away with this bill. The community standards are matters that develop over long periods of time and that is a process of education. It's one of inter-reaction in the governmental process, the democracy that we have. And it's a long process in building a human society. One in which one individual has respect for another regardless of his background, what part of the island he came from, or whether she didn't come from the islands.

It won't go away in one day as much as we would like to have it go. This is one step, albeit a very good one in the direction we must proceed, but it's a long haul. I commend the Judiciary Committee for the work of the bill and urge the members of this body to vote in favor."

The motion was put by the Chair and carried, and H.B. No. 300, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON", passed Final Reading by a vote of 47 ayes with Representatives Kiyabu, Kunimura, Morioka and Takitani being excused.

The Chair directed the Clerk to note that H.B. No. 300, SD1, CD1, had passed Final Reading at 6:30 o'clock p.m.

At 6:30 o'clock p.m., at the request of Representative D. Hagino, the Chair declared a recess, subject

to the call of the Chair.

The House of Representatives reconvened at 6:47 o'clock p.m.

At this time, the Speaker assumed the rostrum.

At 6:47 o'clock p.m., the Chair announced that the House would stand in recess until 10:00 o'clock p.m., tonight.

The House of Representatives reconvened at 10:50 o'clock p.m. with the Vice Speaker presiding.

Conf. Com. Rep. No. 51 on S.B. No. 126, SD1, HD1, CD1, on Final Reading:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 126, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 126, SD1, HD1, CD1, had passed Final Reading at 10:50 o'clock p.m.

At 10:50 o'clock p.m., at the request of Representative Yamada, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:53 o'clock p.m.

Conf. Com. Rep. No. 52 on H.B. No. 733, SD1, CD1, on Final Reading:

On motion by Representative Segawa, seconded by Representative Yamada and carried, the report of the Committee was adopted and H.B. No. 733, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 733, SD1, CD1, had passed Final Reading at 10:53 o'clock p.m.

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

By unanimous consent, H.B.

No. 920, SD2, was taken from the Clerk's desk.

On motion by Representative Albano, seconded by Representative Blair and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 920, and H.B. No. 920, SD2, having been read throughout, passed Final Reading by a vote of 51 ayes.

By unanimous consent, H.B. No. 923, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Fukunaga, seconded by Representative Chun and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 923, HD1, and H.B. No. 923, HD1, SD1, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 920, SD2 and 923, HD1, SD1, had passed Final Reading at 10:57 o'clock p.m.

By unanimous consent, H.B. No. 924, HD2, SD1, was taken from the Clerk's desk.

On motion by Representative Segawa, seconded by Representative Toguchi and carried, the House agreed to the amendments proposed by the Senate to House Bill No. 924, HD2, and House Bill No. 924, HD2, SD1, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 924, HD2, SD1, had passed Final Reading at 10:58 o'clock p.m.

By unanimous consent, H.B. No. 926, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 926, HD1, and H.B. No. 926, HD1, SD1, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 926, HD1, SD1, had passed Final Reading at 10:59 o'clock p.m.

At 10:59 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:02 o'clock p.m.

At this time, the Speaker assumed the rostrum.

By unanimous consent, H.B. No. 1108, SD1, was taken from the Clerk's desk.

On motion by Representative Segawa, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1108, and H.B. No. 1108, SD1, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1108, SD1, had passed Final Reading at 11:02 o'clock p.m.

By unanimous consent, H.B. No. 1233, SD2, was taken from the Clerk's desk.

On motion by Representative Fukunaga, seconded by Representative Baker and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1233, and H.B. No. 1233, SD2, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1233, SD2, had passed Final Reading at 11:03 o'clock p.m.

By unanimous consent, H.B. No. 1292, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Hirono and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1292, HD1, and H.B. No. 1292, HD1, SD1, having been read throughout, passed Final Reading by a vote of 44 ayes to 7 noes with Representatives Anderson, Ikeda, Lacy, Liu, Medeiros, Rohlfing and Wong voting no.

The Chair directed the Clerk to note that H.B. No. 1292, HD1, SD1, had passed Final Reading at 11:04 o'clock p.m.

By unanimous consent, H.B. No. 1357, HD1, SD1, was taken

from the Clerk's desk.

On motion by Representative Tungpalan, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1357, HD1, and H.B. No. 1357, HD1, SD1, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1357, HD1, SD1, had passed Final Reading at 11:05 o'clock p.m.

By unanimous consent, H.B. No. 1604, HD2, SD2, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1604, HD2, and H.B. No. 1604, HD2, SD2, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1604, HD2, SD2, had passed Final Reading at 11:06 o'clock p.m.

By unanimous consent, H.B. No. 1871, SD2, was taken from the Clerk's desk.

On motion by Representative Takitani, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1871, and H.B. No. 1871, SD2, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1871, SD2, had passed Final Reading at 11:07 o'clock p.m.

By unanimous consent, H.B. No. 1874, HD2, SD1, was taken from the Clerk's desk.

On motion by Representative Fukunaga, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1874, HD2, and H.B. No. 1874, HD2, SD1, having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Baker and Isbell voting no and Representative de Heer being excused.

By unanimous consent, H.B.

No. 1876, HD2, SD1, was taken from the Clerk's desk.

On motion by Representative Baker, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1876, HD2, and H.B. No. 1876, HD2, SD1, having been read throughout, passed Final Reading by a vote of 51 ayes.

By unanimous consent, H.B. No. 1880, HD2, SD1, was taken from the Clerk's desk.

On motion by Representative Toguchi, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1880, HD2, and H.B. No. 1880, HD2, SD1, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1874, HD2, SD1; 1876, HD2, SD1; and 1880, HD2, SD1, had passed Final Reading at 11:08 o'clock p.m.

At 11:09 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:14 o'clock p.m.

By unanimous consent, H.B. No. 1428, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1428, HD1, and H.B. No. 1428, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Segawa voting no.

The Chair directed the Clerk to note that H.B. No. 1428, HD2, SD1, had passed Final Reading at 11:15 o'clock p.m.

GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 70) was read by the Clerk as follows:

"STATE OF HAWAII
Executive Chambers
Honolulu

April 24, 1981

The Honorable Henry Haalilio Peters
Speaker, House of Representatives
Eleventh State Legislature
Regular Session of 1981
State Capitol
Honolulu, Hawaii 96813

Dear Mr. Speaker:

Transmitted herewith is the Executive Order providing for an extension of the 1981 Session of the Eleventh Legislature.

With warm personal regards, I remain,

Yours very truly,

/s/ George R. Ariyoshi

George R. Ariyoshi

Enclosure"

"EXECUTIVE ORDER

WHEREAS, Section 10, Article III of the Constitution of the State of Hawaii, provides that an extension of not more than fifteen days of any session may "be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor"; and

WHEREAS, said Section 10 further provides that "Saturdays, Sunday, holidays, the days in mandatory recess pursuant to a concurrent recess and any days in recess pursuant to a concurrent resolution shall be excluded in computing the number of days of any session"; and

WHEREAS, the governor has been requested to grant an extension and it appears that such an extension is necessary;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of Hawaii, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawaii, do hereby extend the 1981 regular session of the Eleventh Legislature of the State of Hawaii for a period of twenty four (24) hours following 12:00 midnight, April 24, 1981, but excluding Saturday and Sunday, pursuant to Section 10, Article III of the Constitution of the State of

Hawaii.

Done at the State Capitol
Honolulu, State of Hawaii
this 24th day of April, 1981

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii

APPROVED AS TO FORM:

/s/ Tany S. Hong
Attorney General"

CONFERENCE COMMITTEE REPORTS

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 815, SD2, presented a report (Conf. Com. Rep. No. 54) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 54 on S.B. No. 815, SD2, HD1, CD1, was deferred and in accordance with Article III, Section 16, of the Constitution of State of Hawaii, printed copies of S.B. No. 815, SD2, HD1, CD1, were made available to the members of the House at 6:00 o'clock p.m.

Representative Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1167, HD1, presented a report (Conf. Com. Rep. No. 55) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 55 on H.B. No. 1167, HD1, SD2, CD1, was deferred and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1167, HD1, SD2, CD1, were made available to the members of the House at 6:00 o'clock p.m.

Representatives Kiyabu and Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B.

No. 1507, SD2, presented a report (Conf. Com. Rep. No. 56) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 56 on S.B. No. 1507, SD2, HD2, CD1, was deferred and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1507, SD2, HD2, CD1, were made available to the members of the House at 6:00 o'clock p.m.

Representative Kunimura, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1298, SD1, presented a report (Conf. Com. Rep. No. 57) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 57 on S.B. No. 1298, SD1, HD1, CD1, was deferred and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1298, SD1, HD1, CD1, were made available to the members of the House at 6:00 o'clock p.m.

Representative Kunimura, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 557, SD1, presented a report (Conf. Com. Rep. No. 58) recommending to their respective Houses the final passages of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 58 on S.B. No. 557, SD1, HD1, CD1, was deferred and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 557, SD1, HD1, CD1, were made available to the members of the House at 6:00 o'clock p.m.

Representative Kunimura, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 335, SD1, presented a report (Conf. Com. Rep. No. 59) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 59 on S.B. No. 335, SD1, HD1, CD1, was deferred

and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 335, SD 1, HD 1, CD 1, were made available to the members of the House at 6:00 o'clock p.m.

ADJOURNMENT

At 11:54 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlring and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Monday, April 27, 1981.

SIXTY-FIRST DAY

Monday, April 27, 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 Charles Wothke, Executive Director of the Volunteer Information and Referral Bureau, after which the Roll was called showing all members present with the exception of Representatives Aki, de Heer, Kunimura and Toguchi, who were excused.

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

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, reading of the Journal was dispensed with and the Journal of the Fifty-First Day was approved.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 690 to 708) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 690) transmitting Senate Concurrent Resolution No. 70, SD 1, relating to the Commissioner of Motor Vehicle Insurance Division's annual report on motor vehicle insurance premiums, which was adopted by the Senate on April 24, 1981, was placed on file.

By unanimous consent, further action on S.C.R. No. 70, SD 1, was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 691) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 728, HD 1, was adopted by the Senate; and House Bill No. 728, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 24, 1981,

was placed on file.

A communication from the Senate (Sen. Com. No. 692) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 126, SD 1, was adopted by the Senate; and Senate Bill No. 126, SD 1, HD 1, CD 1, passed Final Reading in the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 693) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1699, SD 1, was adopted by the Senate; and Senate Bill No. 1699, SD 1, HD 2, CD 1, passed Final Reading in the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 694) returning House Bill No. 73, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", which passed Third Reading in the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 695) returning House Bill No. 753, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION SYSTEMS RATES AND CHARGES", which passed Third Reading in the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 696) returning House Bill No. 792, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", which passed Third Reading in the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 697) returning House Bill No. 1107, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", which passed Third Reading in the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 698) returning House Bill No. 1583, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING

AND ECONOMIC DEVELOPMENT", which passed Third Reading in the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 699) returning House Concurrent Resolution No. 147, HD 1, which was adopted by the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 700) returning House Bill No. 1339, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", which passed Third Reading in the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 701) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 29, SD 1, were agreed to by the Senate, and said Concurrent Resolution, as thus amended (HD 1), was finally adopted by the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 702) informing the House that the Senate has reconsidered its action taken on April 9, 1981, in disagreeing to the amendments made by the House to Senate Bill No. 2099, SD 2, and the President has, on April 24, 1981, discharged the Managers on the part of the Senate for the consideration of said amendments (HD 2), was placed on file.

A communication from the Senate (Sen. Com. No. 703) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 293, HD 1, was adopted by the Senate; and House Bill No. 293, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 704) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 300 was adopted by the Senate; and House Bill No. 300, SD 1, CD

1, passed Final Reading in the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 705) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1267, HD 1, was adopted by the Senate; and House Bill No. 1267, HD 1, SD 2, CD 1, passed Final Reading in the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 706) returning House Concurrent Resolution No. 243, which was adopted by the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 707) returning House Concurrent Resolution No. 244, which was adopted by the Senate on April 24, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 708) returning House Concurrent Resolution No. 245, which was adopted by the Senate on April 24, 1981, was placed on file.

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.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 749) congratulating Dr. Gregory Dela Cruz upon his appointment to the Board of Regents of the University of Hawaii was jointly offered by Representatives Kihano, Chun, Albano, Tungpalan, Aki, Anderson, Andrews, Baker, Blair, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kobayashi, Levin, Liu, Marumoto, Matsuura, Monahan, Nakamura, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Waihee, Wong and Peters and was read by the Clerk.

On motion by Representative Kihano, seconded by Representative Chun

and carried, H.R. No. 749 was adopted,

Representative Kihano then rose and stated:

"Mr. Speaker, our honoree is a scholar, born in Hawaii, and he is of Filipino ancestry and has accumulated a track record of praise and personal acclaim.

Mr. Speaker, here is a dedicated individual, one who possesses relentless energy to have acquired a vast resource of education and experience. Today, we honor a man for his accomplishments but, more importantly, we honor the image, purpose and representation of which he stands."

Representative Kihano then presented the honoree, Dr. Gregory Dela Cruz, to the members of the House and audience.

Representative Chun presented Dr. Dela Cruz with a white carnation lei while Representative Albano presented him with a certified copy of the resolution.

At 11:49 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 honoree this morning."

Upon reconvening at 11:55 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Aki, de Heer and Kunimura.

ORDER OF THE DAY

DEFERRED RESOLUTION

S.C.R. No. 70 was referred to the Committee on Consumer Protection and Commerce.

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 Final Reading on the basis of a modified consent calendar.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1149 on S.B. No. 1472, SD 2, on Third

Reading.

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 3 on H.B. No. 769, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 6 on H.B. No. 50, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 30 on H.B. No. 1048, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 34 on H.B. No. 1680, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 43 on S.B. No. 163, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 49 on H.B. No. 919, SD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 53 on H.B. No. 344, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 54 on S.B. No. 815, SD 2, HD 1, CD 1:

Representative Shito moved that the report of the Committee be adopted and S.B. No. 815, SD 2, HD 1, CD 1, having been read throughout, pass Final Reading.

At 11:56 o'clock a.m., Representative Kunimura asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:57 o'clock

a.m., Representative Shito withdrew his motion and further action on Conf. Com. Rep. No. 54 on S.B. No. 815, SD 2, HD 1, CD 1, was deferred one day.

Conf. Com. Rep. No. 55 on H.B. No. 1167, HD 1, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 56 on S.B. No. 1507, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 57 on S.B. No. 1298, SD 1, HD 1, CD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 1298, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL EXPENSES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Toguchi being excused.

The Chair directed the Clerk to note that S.B. No. 1298 had passed Final Reading at 11:57 o'clock a.m.

Conf. Com. Rep. No. 58 on S.B. No. 557, SD 1, HD 1, CD 1:

Representative Kunimura moved that the report of the Committee be adopted and S.B. No. 557, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Kiyabu.

Representative Kamali'i then rose and requested that her remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Kamali'i's remarks are hereby inserted:

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

Mr. Speaker, this bill will

give the resident taxpayers of Hawai'i a constitutionally-mandated and much needed tax break of \$100 per exemption. I am very proud of this measure, Mr. Speaker, because it is a close reflection of the proposal first made by the Republican caucus in response to the Governor's inadequate \$50 rebate suggestion.

With a tax surplus in excess of \$180 million, we can ill-afford to play games with the public conscience about tax relief for the average citizen. Our understanding of the constitutional refund provision was that we should try to return the bulk of the outstanding surplus. This measure comes close to that interpretation.

In addition, I am happy to see that this rebate is explicitly linked to the surplus, and not phrased as a dodge over the excise tax credit or repeal relief which is also much needed by the people of this State. That provision, I understand, will be before us later today.

Overall, Mr. Speaker, the surplus should have given us the opportunity to carefully review and consider relief options. Unfortunately, the majority of this House argued for a deferral of the repeal of the 4 percent excise tax or rebracketing of the income tax structure with the assurance that such moves were best recommended by the Tax Review Commission. Well, I am very disappointed that the Governor has apparently again neglected to seek Senate approval for the commissioners. That essential review, then, has been postponed for another year. I can promise this House that we will not be dissuaded next session from pushing for needed reform.

Thank you."

Representative Albano then 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 Albano's remarks are hereby inserted:

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

At this time, Mr. Speaker, when every family in our State, especially the elderly and the low-fixed income group, as well as the middle income group, are suffering from that economic monster, 'inflation', there is a loud

cry for a tax relief. A tax relief that at least to a certain extent will alleviate these groups of people from economic hardship. Many of us felt that the best way to deal with this concern of our people was to go along with the elimination of the 4 percent tax on food and drugs.

However, Mr. Speaker, after a careful examination of the issue and the fact that there is a Tax Review Commission whose responsibility is to review our existing tax laws and to recommend changes thereof, the improvement of our present tax credit law is, to my honest opinion, more equitable and appropriate this time. This measure, S.B. No. 557, squarely addresses the demand for a tax relief of the elderly and low-fixed income group, simply because those whose adjusted gross income is under \$5,000 can have a tax credit of \$189.00 which is equivalent to the 4 percent tax paid by an individual who purchase food or drugs approximately in the amount of \$5,000. And I am not sure if a person whose adjusted gross income is under \$5,000 would spend \$4,700 for food and drugs. Clear and simple, this measure is far better than the elimination of the 4 percent on food or drugs.

Mr. Speaker, be it as it may, I hope that the Tax Review Commission, in their review of our existing tax laws, will address itself with the 4 percent tax on food and drugs.

In the meantime, I urge my fellow legislators to vote in favor of this bill.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted, and S.B. No. 557, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Toguchi being excused.

The Chair directed the Clerk to note that S.B. No. 557 had passed Final Reading at 11:58 o'clock a.m.

Conf. Com. Rep. No. 59 on S.B. No. 335, SD 1, HD 1, CD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted, and S.B. No. 335, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Toguchi being excused.

The Chair directed the Clerk to note that S.B. No. 335 had passed Final Reading at 11:59 o'clock a.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 748 and 750 to 755) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 748) congratulating Lillian Keiko Sakamoto for her selection as Miss Ko'olau 1981 was jointly offered by Representatives Wong, Ige, Anderson, Chun, Fukunaga, Hashimoto, Ikeda, Kobayashi, Liu, Marumoto, Medeiros, Monahan, Narvaes, Sakamoto, Say and Toguchi.

On motion by Representative Wong, seconded by Representative Ige and carried, H.R. No. 748 was adopted.

A resolution (H.R. No. 750) honoring Terry Fox for his display of courage, perseverance, unselfish devotion to humanity and commending him for raising \$22,000,000 for cancer research was jointly offered by Representatives Ige, Segawa, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Isbell, Kawakami, Kihano, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Shito, Takamine, Taniguchi and Wong.

On motion by Representative Ige, seconded by Representative Segawa and carried, H.R. No. 750 was adopted.

A resolution (H.R. No. 751) recognizing the Punahou School Career Exploration Program and commending the participating businesses and institutions was jointly offered by Representatives Marumoto, Monahan, Aki, Albano, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kobayashi,

Levin, Liu, Matsuura, Nakamura, Nakasato, Narvaes, Okamura, Say, Segawa, Shito, Stanley, Takamine, Toguchi and Wong.

On motion by Representative Marumoto, seconded by Representative Monahan and carried, H.R. No. 751 was adopted.

A resolution (H.R. No. 752) recognizing the Kailua Intermediate School seventh grade basketball team and cheerleaders was jointly offered by Representatives Anderson, Medeiros, Baker, D. Hagino, G. Hagino, Lacy, Liu, Narvaes, Rohlfing, Say, Shito, Toguchi and Wong.

On motion by Representative Anderson, seconded by Representative Medeiros and carried, H.R. No. 752 was adopted.

A resolution (H.R. No. 753) recognizing the Kailua Intermediate School eighth grade basketball team and cheerleaders was jointly offered by Representatives Anderson, Medeiros, Baker, D. Hagino, G. Hagino, Lacy, Liu, Narvaes, Rohlfing, Say, Shito, Toguchi and Wong.

On motion by Representative Anderson, seconded by Representative Medeiros and carried, H.R. No. 753 was adopted.

A resolution (H.R. No. 754) recognizing and congratulating the registered professional nurses of the State and County governments on their First Annual Statewide Nurses Institute was jointly offered by Representatives 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, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Segawa, seconded by Representative Levin and carried, H.R. No. 754 was adopted.

A resolution (H.R. No. 755) honoring Al Manliguis as an outstanding basketball coach and for his twenty-five years of dedicated service

to athletics, education, and the welfare of the young people of Hawaii was jointly offered by Representatives Segawa, Levin, Matsuura, Takamine, Isbell, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, 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, Yamada and Peters.

On motion by Representative Segawa, seconded by Representative Levin and carried, H.R. No. 755 was adopted.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 693, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 693, HD 1, and H.B. No. 693, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Toguchi being excused.

The Chair directed the Clerk to note that H.B. No. 693 had passed Final Reading at 12:03 o'clock p.m.

By unanimous consent, H.B. No. 706, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 706, HD 1, and H.B. No. 706, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Toguchi being excused.

The Chair directed the Clerk to note that H.B. No. 706 had passed Final Reading at 12:04 o'clock p.m.

By unanimous consent, H.B. No. 795, SD 1, was taken from the Clerk's desk.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the House agreed to

the amendments proposed by the Senate to H.B. No. 795, and H.B. No. 795, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Toguchi being excused.

By unanimous consent, H.B. No. 796, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 796, HD 1, and H.B. No. 796, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Toguchi being excused.

The Chair directed the Clerk to note that H.B. Nos. 795 and 796 had passed Final Reading at 12:05 o'clock p.m.

At 12:06 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:15 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Toguchi.

By unanimous consent, H.B. No. 1122, SD 1, was taken from the Clerk's desk.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1122, and H.B. No. 1122, SD 1, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1122 had passed Final Reading at 12:16 o'clock p.m.

STANDING COMMITTEE REPORTS

Representatives Takamine and Segawa, for the Committees on Agriculture and Health, presented a joint report (Stand. Com. Rep. No. 1205) recommending that H.R. No. 661, as amended in HD 1, be adopted.

On motion by Representative

Takamine, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.R. No. 661, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO SEEK FEDERAL CERTIFICATION OF STATE LABORATORIES ON OAHU AND HAWAII TO TEST AND CERTIFY LOCALLY PRODUCED MILK", was adopted.

Representatives Takamine and Segawa, for the Committees on Agriculture and Health, presented a joint report (Stand. Com. Rep. No. 1206) recommending that H.R. No. 662, as amended in HD 1, be adopted.

On motion by Representative Takamine, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.R. No. 662, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO HAVE FEDERALLY CERTIFIED AT LEAST ONE PUBLIC HEALTH OFFICER TO PERFORM THE NECESSARY FEDERAL CERTIFICATION OF THE STATE'S MILK TESTING LABORATORIES PURSUANT TO STATE AND FEDERAL REQUIREMENTS", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1207) recommending that H.R. No. 581 be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 581, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF STATUTES AND REGULATIONS TO ALLOW PURCHASE OF LABORATORY EQUIPMENT BY SPECIFICATION", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1208) recommending that H.R. No. 632, HD 1, be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 632, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING AND THE FAMILY COURT TO REPORT ON PLACEMENT SERVICES AND RELATED CARE PROVIDED TO LOW, MEDIUM, AND HIGH-RISK JUVENILE OFFENDERS", was adopted.

Representative Kunimura, for the Committee on Finance, presented

a report (Stand. Com. Rep. No. 1209) recommending that H.R. No. 606, HD 1, be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 606, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE WHETHER ANY DUPLICATION IN HEALTH SCREENING SERVICES FOR THE ELDERLY EXIST BETWEEN THE STATE, ITS COUNTIES, AND THE PRIVATE COMMUNITY HEALTH AGENCIES", was adopted.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1210) recommending that H.R. No. 480 be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.R. No. 480, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ENTER INTO LONG-TERM LEASES REGARDING CERTAIN PRIVATELY OWNED LANDS IN WAIPIO VALLEY, HAWAII", was referred to the Committee on Finance.

At 12:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:30 o'clock p.m.

GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 71) was read by the Clerk as follows:

"STATE OF HAWAII
Executive Chambers
Honolulu

April 27, 1981

The Honorable Henry Haalilio Peters
Speaker, House of Representatives
Eleventh State Legislature
Regular Session of 1981
State Capitol
Honolulu, Hawaii 96813

Dear Mr. Speaker:

Transmitted herewith is the

Executive Order providing for an extension of the 1981 Session of the Eleventh Legislature.

With warm personal regards,
I remain,

Yours very truly,

/s/ George R. Ariyoshi

George R. Ariyoshi

Enclosure"

"EXECUTIVE ORDER

WHEREAS, Section 10, Article III of the Constitution of the State of Hawaii, provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor'; and

WHEREAS, pursuant thereto the governor extended the 1981 regular session of the Eleventh Legislature of the State of Hawaii for a period of twenty-four hours, excluding Saturday and Sunday, to 12:00 midnight, April 27, 1981; and

WHEREAS, it appears that a further extension is necessary in the public interest;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of Hawaii, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawaii, do hereby further extend the 1981 regular session of the Eleventh Legislature of the State of Hawaii for a period of forty-eight (48) hours following 12:00 midnight, April 27, 1981.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 27th day of April, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii

APPROVED AS TO FORM:

/s/ Tany S. Hong

TANY S. HONG
Attorney General"

At 5:33 o'clock p.m., the Chair

declared a recess, "for the purpose of receiving Conference Committee Reports for decking."

CONFERENCE COMMITTEE REPORTS

Representative Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 60) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 60 on H.B. No. 1, HD 1, SD 1, CD 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. 1, HD 1, SD 1, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

Representative Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 61) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 61 on H.B. No. 2, HD 1, SD 1, CD 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. 2, HD 1, SD 1, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

Representatives Takitani and Kunimura, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1870, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 62) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 62 on H.B. No. 1870, HD 1, SD 1, CD 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. 1870, HD 1, SD 1, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

Representatives Takitani and Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1879, SD 1, presented a report (Conf. Com. Rep. No. 63) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 63 on H.B. No. 1879, SD 1, CD 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. 1879, SD 1, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

Representatives Takitani and Kiyabu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 454, HD 1, presented a report (Conf. Com. Rep. No. 64) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 64 on S.B. No. 454, HD 1, CD 1, was deferred, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S.B. No. 454, HD 1, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

Representative Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 241, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 65) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 65 on H.B. No. 241, HD 1, SD 1, CD 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. 241, HD 1, SD 1, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

Representatives Takitani and Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1716, HD 2, SD 2, presented

a report (Conf. Com. Rep. No. 66) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 66 on H.B. No. 1716, HD 2, SD 2, CD 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. 1716, HD 2, SD 1, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

Representatives Takitani and Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1724, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 67) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 67 on H.B. No. 1724, HD 2, SD 2, CD 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. 1724, HD 2, SD 2, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

Representative Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1239, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 68) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 68 on H.B. No. 1239, HD 1, SD 1, CD 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. 1239, HD 1, SD 1, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

Representatives Taniguchi and Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1470, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 69) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 69 on H.B. No. 1470, HD 2, SD 2, CD 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. 1470, HD 2, SD 2, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

Representatives Nakamura and Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 629, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 70) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 70 on H.B. No. 629, HD 1, SD 2, CD 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. 629, HD 1, SD 2, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 10:00 o'clock a.m. tomorrow, Tuesday, April 28, 1981.

SIXTY-SECOND DAY

Tuesday, April 28, 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 Chaplin Drew Morris representing Kolekole Pass Chapel, Schofield Barracks, after which the Roll was called showing all members present with the exception of Representatives Aki, Dods, Kunimura, Sakamoto, Takitani and Wong who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Thirty-fifth and Forty-second Days.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, reading of the Journals were dispensed with and the Journals of the Thirty-fifth and Forty-second Days were approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 709 to 720) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 709) informing the House that the amendments proposed by the House to Senate Bill No. 2099, SD2 were agreed to by the Senate and Senate Bill No. 2099, SD2, HD1 passed Final Reading on April 27, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 710) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 557, SD1, was adopted by the Senate and Senate Bill No. 557, SD1, HD1, CD1, passed Final Reading in the Senate on April 27, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 711) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 815, SD2,

was adopted by the Senate and Senate Bill No. 815, SD2, HD1, CD1, passed Final Reading in the Senate on April 27, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 712) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1298, SD1, was adopted by the Senate and Senate Bill No. 1298, SD1, HD1, CD1, passed Final Reading in the Senate on April 27, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 713) returning House Concurrent Resolution No. 225, HD1, which was adopted by the Senate on April 27, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 714) returning House Bill No. 35, HD1, which passed Third Reading in the Senate on April 27, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 715) returning House Bill No. 440, HD2, which passed Third Reading in the Senate on April 27, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 716) returning House Bill No. 630, HD1, which passed Third Reading in the Senate on April 27, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 717) returning House Bill No. 741, which passed Third Reading in the Senate on April 27, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 718) returning House Bill No. 867, which passed Third Reading in the Senate on April 27, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 719) returning House Bill No. 1406, HD1, which passed Third Reading in the Senate on April 27, 1981, was placed on file.

A communication from the Senate

(Sen. Com. No. 720) returning House Bill No. 1584, which passed Third Reading in the Senate on April 27, 1981, was placed on file.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1149 on S.B. No. 1472, SD2, on Third Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 3 on H.B. No. 769, HD2, SD2, CD1, on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 6 on H.B. No. 50, HD1, SD2, CD1, on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 30 on H.B. No. 1048, HD2, SD2, CD1, on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 34 on H.B. No. 1680, HD1, SD2, CD1, on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 43 on S.B. No. 163, SD1, HD1, CD1, on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 49 on H.B. No. 919, SD1, CD1, on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 53 on H.B. No. 344, HD1, SD2, CD1, on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 54 on S.B. No. 815, SD2, HD1, CD1, on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 55 on H.B. No. 1167, HD1, SD2, CD1, on Final Reading:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 56 on S.B. No. 1507, SD2, HD2, CD1, on Final Reading:

By unanimous consent, action was deferred one day.

STANDING COMMITTEE REPORTS

Representatives Nakamura and Sakamoto, for the majority of the Committees on Judiciary and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1211) recommending that H.R. No. 328, as amended in HD1, be adopted.

On motion by Representative Nakamura, seconded by Representative Fukunaga and carried, the joint report of the majority of the Committees was adopted and H.R. No. 328, HD1 entitled: "HOUSE RESOLUTION RELATING TO THE CREATION OF A MOUNTED POLICE PATROL", was adopted with Representatives Liu, Rohlfing and Yamada registering no votes.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 756 to 759) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 756) expressing best wishes to the Hawaii Macadamia Producers' Association for a successful 21st annual meeting to be held in Honokaa, Hawaii, during May 1981 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, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakasato, Narvaes, Okamura, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Wong and Yamada.

On motion by Representative Takamine, seconded by Representative Matsuura and carried, H.R. No. 756 was

adopted.

A resolution (H.R. No. 757) recognizing and congratulating Robert T. Chuck on receiving the National Water Resources Association's 1980 President's Award was jointly offered by Representatives Fukunaga, Sakamoto, Aki, Andrews, Baker, Blair, Chun, de Heer, Dods, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Levin, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Narvaes, Okamura, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Yamada.

On motion by Representative Fukunaga, seconded by Representative Kawakami and carried, H.R. No. 757 was adopted.

A resolution (H.R. No. 758) extending congratulations to the Pearl City High School judo team for its fifth consecutive victory of the Oahu Interscholastic Association Judo Championship was jointly offered by Representatives Hashimoto, Tungpalan, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Waihee, Wong and Yamada.

On motion by Representative Hashimoto, seconded by Representative Tungpalan and carried, H.R. No. 758 was adopted.

A resolution (H.R. No. 759) recognizing and extending congratulations to Thelma Aoyama Yamamoto as the statewide winner and the individual adult winner, County of Oahu, of the First Lady's Outstanding Volunteer Award was jointly offered by Representatives Shito, Kiyabu, Albano, Anderson, Blair, Chun, de Heer, Fukunaga, D. Hagino, Honda, Ige, Kawakami, Kihano, Kobayashi, Lacy, Levin, Matsuura, Morioka, Nakamura, Say, Segawa, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Yamada.

On motion by Representative Shito, seconded by Representative Kiyabu and carried, H.R. No. 759 was adopted.

At 10:17 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:23 o'clock a.m.

ADJOURNMENT

At 10:23 o'clock a.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 9:30 o'clock p.m. tomorrow, Wednesday, April 29, 1981.

SIXTY-THIRD DAY

Wednesday, April 29, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 9:30 o'clock p.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Tuck Wah Lee of the United Church of Christ, after which the Roll was called showing all members present with the exception of Representative Dods, who was excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 72 and 73) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 72) informing the House that on April 16, 1981, he signed the following bills into law:

House Bill No. 160 as Act 4, entitled: "RELATING TO COUNTY HIGHWAYS, SIDEWALKS, WHARVES";

House Bill No. 358 as Act 5, entitled: "RELATING TO THE CIVIL SERVICE LAW ON FILING NOTICES OF CERTAIN PERSONNEL ACTIONS WITH THE DIRECTOR OF PERSONNEL SERVICES";

House Bill No. 423 as Act 6, entitled: "RELATING TO DOMICILE";

House Bill No. 431 as Act 7, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 496 as Act 8, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES";

House Bill No. 540 as Act 9, entitled: "RELATING TO INTEREST ON JUDGMENTS";

House Bill No. 605 as Act 10, entitled: "RELATING TO EMPLOYMENT PRACTICES";

House Bill No. 687 as Act 11, entitled: "RELATING TO THE

STATEWIDE TRAFFIC CODE";

House Bill No. 732 as Act 12, entitled: "RELATING TO SAFE DRINKING WATER";

House Bill No. 746 as Act 13, entitled: "RELATING TO EMPLOYMENT PRACTICES";

House Bill No. 747 as Act 14, entitled: "RELATING TO TEMPORARY DISABILITY INSURANCE";

House Bill No. 759 as Act 15, entitled: "RELATING TO CERTIFICATES OF OCCUPATION AND HOMESTEAD LEASES";

House Bill No. 761 as Act 16, entitled: "RELATING TO THE MARINE LIFE CONSERVATION PROGRAM";

House Bill No. 764 as Act 17, entitled: "RELATING TO CONSERVATION OF WILDLIFE AND PLANTS";

House Bill No. 771 as Act 18, entitled: "RELATING TO THE IMPOSITION OF RULES DURING SHORTAGES OF PETROLEUM PRODUCTS";

House Bill No. 1125 as Act 19, entitled: "RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITIES";

House Bill No. 1466 as Act 20, entitled: "RELATING TO RETAIL INSTALLMENT SALES";

House Bill No. 1484 as Act 21, entitled: "RELATING TO CORPORATIONS";

House Bill No. 1657 as Act 22, entitled: "RELATING TO ANTITRUST SUITS BY THE STATE; AMOUNT OF RECOVERY";

House Bill No. 1736 as Act 23, entitled: "RELATING TO REAL ESTATE";

House Bill No. 1748 as Act 24, entitled: "RELATING TO MOPEDS"; and

House Bill No. 1885 as Act 25, entitled: "RELATING TO AERONAUTICS";

was placed on file.

A message from the Governor (Gov. Msg. No. 73) transmitting his statement of objections to Senate Bill No. 646, which he has returned to the Senate without his approval, was placed on file:

"STATE OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU, HAWAII

April 29, 1981

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 646

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith Senate Bill No. 646 entitled, 'A Bill for an Act Relating to Residential Group Living.'

The purpose of this bill is to permit group living in areas zoned for residential use. Under the provisions of the bill, no more than a total of seven unrelated adults may reside together on any real property zoned for residential use. Residential group living will be allowed provided the facility is licensed as such and meets applicable licensing requirements.

While this Administration is not opposed to the concept of group living in residential areas, this bill lacks specific definitions, licensing criteria, specific target group, designated licensing agency and a clear process for implementation. It is unclear as to whether the provisions apply to existing types of licensed group living facilities, or is intended to apply to a facility distinct from the existing facilities. If it is intended that the bill apply to existing facilities, then existing statutes providing for certain types of group living will be superseded by this bill. As a direct result, this bill will have the effect of increasing the number of residents allowed in adult care homes and boarding homes and decreasing the number allowed in independent living facilities, necessitating revisions to the licensing requirements for these facilities. If it is intended to address group living facilities distinct from existing facilities, then licensing criteria and the designation of the state agency responsible for licensing should be specified before the bill is enacted. In addition, the lack of a specifically defined target group raises a number of questions about the public purpose to be served by this bill and the possible ramifications this measure may have upon local zoning ordinances.

For the foregoing reasons, I am returning Senate Bill No. 646 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 721) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 335, SD 2, was adopted by the Senate; and Senate Bill No. 335, SD 2, HD 1, CD 1, passed Final Reading in the Senate on April 28, 1981, was read by the Clerk and was placed on file.

At 9:55 o'clock p.m., Representative Kamali'i asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:57 o'clock p.m.

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

Representative Narvaes introduced Carla Coray, National Committeewoman for the Republican Party, who was seated in the gallery.

Representative Marumoto introduced Mr. and Mrs. Russell Saito, "very good friends of mine who are visiting the Legislature this evening and they hail from Manoa Valley."

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.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 760) recognizing the Twenty-fourth Biennial ILWU Convention and extending a warm welcome to Senator Julian Bond, State Senator from the state of Georgia

was jointly offered by Representatives Takamine, Albano, Anderson, Andrews, Baker, Blair, Chun, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Isbell, Kamali'i, Kawakami, Kiyabu, Kunimura, Levin, Liu, Matsuura, Monahan, Morioka, Nakamura, Okamura, Rohlfsing, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Waihee and Peters and was read by the Clerk.

On motion by Representative Takamine, seconded by Representative D. Hagino and carried, H.R. No. 760 was adopted.

Representative Takamine then rose and stated:

"Mr. Speaker, the 1960's ushered in a new era in the political and social life of the United States. The years' slow fight against racial bigotry became embodied in the civil rights movement. The struggle for racial justice and equal opportunity shook the conscience of millions of Americans and created a massive re-evaluation of American ethics and ideals.

The civil rights movement, at its peak in the early 60's, laid the foundation for the gains made since then by countless thousands of non-white Americans. It led directly to the massive outpouring of opposition to our country's participation in the Vietnam War. It set us on the road to creating a more just, more compassionate, more decent society, than have ever before existed in the United States. While we, as a people, have not as yet arrived at a dream which laid at the heart of the civil rights movement, we have come some considerable distance down that road and we cannot abandon that struggle.

Our guest today has played an important and pivotal role in the struggle to achieve justice in our country. He had been at the forefront of the battle of black Americans to gain social status and economic opportunity equal to that of whites. He has inspired great political changes in the politics of the deep South within the Democratic Party. Our guest participated in the voting drives and other activities that marked the civil rights movement. He spearheaded a number of grassroots campaigns to foster full participation

by minorities in the political process. He ran for and won election to the Georgia State Legislature in 1965 but was barred from taking his seat by the legislators who objected to his statements on the war in Vietnam, a seat that he took in 1967 only after the Supreme Court ruled that the Georgia Legislature was wrong in denying him that office to which he was elected by the majority of the voters in his district. He eventually served four terms in the Georgia House, and in 1974 was elected to the State Senate where he now serves.

We are honored to have as our guest a man whose life has embraced the ideals that we, here in Hawaii, fought to achieve two decades before it came to our country, a man who has chosen to stand and fight for his ideals, both within and against the system. Given the rather sad and difficult state of affairs that exist today in our country -- the racial intolerance -- we are indeed uniquely privileged to have this opportunity to meet a man who continues to stand for the ideals for societies that we all share.

Thank you, Mr. Speaker."

Representative D. Hagino then rose and stated:

"Mr. Speaker, I just want to say a few words. . . after listening to Representative Takamine, I can't believe that it was so long ago but it has been that long. I can remember that a bunch of high school students, back in 1964, cut out of school to go down to the University of Hawaii, Manoa Campus, and the reason we were down there was because there was a forum being put on by the Associated Students of the University of Hawaii, and that forum was on a topic that seemed very foreign to some of us at that time. It was a forum on civil rights. And one of the many speakers, in fact the most noted speaker to be there, was Reverend Martin Luther King. Also there was Norman Thomas and some other noteworthy speakers. I just mention that because, for many of us, it was in those times that we formulated our values, and I think that our honoree today has played a great role for some of the younger members here in this body, many of whom has since gotten elected like he has, in our own State Legislatures.

So, I just would like to put in my personal thanks to our honoree today, and to the many people that

he worked with, some of whom are no longer with us.

Thank you, Mr. Speaker."

Representative Takamine than presented Senator Julian Bond and Mrs. Bond to the members of the House and audience.

Red carnation leis were presented to Senator Bond by Representative Hirono and to Mrs. Bond by Representative D. Hagino while Representative Takamine presented the honoree with a certified copy of the resolution.

At 10:00 o'clock p.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal aloha and congratulations and gratitude to our honored guest this evening."

Upon reconvening at 10:24 o'clock p.m., the Vice Speaker assumed the rostrum.

At this time, the Chair, due to time constraints, asked for speeches by members of the House on House Bill No. 1, HD 1, SD 1, CD 1.

Representative Lacy then rose on a point of information and asked:

"Is there a motion on the floor?"

The Chair answered:

"No motion."

At 10:25 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 10:32 o'clock p.m.

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 and Final Readings on the basis of a modified consent calendar.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1212) recommending that H.R.

No. 517, HD 1, be adopted.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.R. No. 517, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A STATE PROGRAM OF FINANCIAL ASSISTANCE FOR HEMOPHILIACS", was adopted.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1213) recommending that S.B. No. 1286, SD 1, pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 1286, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", passed Third Reading by a vote of 50 ayes, with Representative Dods being excused.

The Chair directed the Clerk to note that S.B. No. 1286 had passed Third Reading at 10:32 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 761 to 767) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 761) honoring the memory of the late Dr. Ernest I. Murai and extending deepest sympathy and condolences to the Murai family was jointly offered by Representatives Kunimura, Kiyabu, Say, Kobayashi, Morioka, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.R. No. 761 was adopted by a rising vote.

A resolution (H.R. No. 762) congratulating Raynard De La Pena on his award winning space experiment proposal was jointly offered by Representatives Kunimura, Aki, Albano,

Anderson, Andrews, Baker, Blair, Chun, de Heer, 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 and Yamada.

On motion by Representative Kunimura, seconded by Representative Yamada and carried, H.R. No. 762 was adopted.

A resolution (H.R. No. 763) recognizing and commending Charles Gilbert Clark for his outstanding contributions to the people of Hawaii as the State Superintendent of Education was jointly offered by Representatives Okamura, Toguchi, D. Hagino, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Okamura, seconded by Representative Toguchi and carried, H.R. No. 763 was adopted.

A resolution (H.R. No. 764) congratulating Radio Station KORL/K-65 was jointly offered by Representatives Kunimura, Aki, Albano, Anderson, Baker, Chun, Honda, Kamali'i, Kawakami, Kihano, Kiyabu, Lacy, Liu, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Okamura, Rohlfing, Segawa, Shito, Takamine and Toguchi.

On motion by Representative Kunimura, seconded by Representative Shito and carried, H.R. No. 764 was adopted.

A resolution (H.R. No. 765) extending congratulations and best wishes to the Asahi Baseball Organization on its 75th Anniversary was jointly offered by Representatives Sakamoto, Aki, Albano, Andrews, Baker, Blair, Chun, de Heer, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Kiyabu, Kobayashi,

Levin, Matsuura, Morioka, Nakamura, Nakasato, Okamura, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Yamada.

On motion by Representative Sakamoto, seconded by Representative Yamada and carried, H.R. No. 765 was adopted.

A resolution (H.R. No. 766) congratulating and commending Waipahu High School Marauders Baseball Team on winning the 1981 State Oahu Interscholastic Association Varsity Baseball Championship was jointly offered by Representatives Kihano and Shito.

On motion by Representative Shito, seconded by Representative Stanley and carried, H.R. No. 766 was adopted.

A resolution (H.R. No. 767) congratulating the 1981 Waipahu High School Girls' Basketball Team for winning the 1981 Western Oahu Interscholastic Association title and extending best wishes in the upcoming league championship game and the HHSAA State Championship Tournament was jointly offered by Representatives Kihano and Shito.

On motion by Representative Shito, seconded by Representative Stanley and carried, H.R. No. 767 was adopted.

At 10:37 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:55 o'clock p.m., the Speaker resumed the rostrum.

GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 74) was read by the Clerk as follows:

"STATE OF HAWAII
Executive Chambers
Honolulu

April 29, 1981

The Honorable Henry Haalilio Peters
Speaker, House of Representatives
Eleventh State Legislature
Regular Session of 1981
State Capitol
Honolulu, Hawaii 96813

Dear Mr. Speaker:

Transmitted herewith is the Executive

Order providing for an extension of the 1981 Session of the Eleventh Legislature.

With warm personal regards, I remain,

Yours very truly,

/s/ George R. Ariyoshi

George R. Ariyoshi

Enclosure"

"EXECUTIVE ORDER

WHEREAS, Section 10, Article III of the Constitution of the State of Hawaii, provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor'; and

WHEREAS, pursuant thereto the governor extended the 1981 regular session of the Eleventh Legislature of the State of Hawaii for a period of twenty-four hours, excluding Saturday and Sunday, to 12:00 midnight, April 27, 1981; and

WHEREAS, the governor further extended the 1981 regular session of the Eleventh Legislature of the State of Hawaii for a period of forty-eight hours to 12:00 midnight, April 29, 1981; and

WHEREAS, it appears that a further extension is necessary in the public interest;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of Hawaii, pursuant to the power vested in my by Section 10, Article III of the Constitution of the State of Hawaii, do hereby further extend the 1981 regular session of the Eleventh Legislature of the State of Hawaii for a period of four

(4) hours following 12:00 midnight, April 29, 1981.

DONE at the State Capitol, Honolulu, State of Hawaii, this 29th day of April, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii

APPROVED AS TO FORM:

/s/ Tany S. Hong

Attorney General:

At this time, Representative Kunimura moved that Conf. Com. Rep. Nos. 60 on H.B. No. 1, HD 1, SD 1, CD 1; 61 on H.B. No. 2, HD 1, SD 1, CD 1; 62 on H.B. No. 1870, HD 1, SD 1, CD 1; 63 on H.B. No. 1879, SD 1, CD 1; 64 on S.B. No. 454, HD 1, CD 1; 65 on H.B. No. 241, HD 1, SD 1, CD 1; 66 on H.B. No. 1716, HD 2, SD 2, CD 1; 67 on H.B. No. 1724, HD 2, SD 2, CD 1; 68 on H.B. No. 1239, HD 1, SD 1, CD 1; 70 on H.B. No. 629, HD 1, SD 2, CD 1; and 55 on H.B. No. 1167, HD 1, SD 2, CD 1, be recommitted to the Committee on Conference, seconded by Representative Kiyabu and carried.

Representative Kunimura then stated:

"Mr. Speaker, may I request that all conferees on the part of the House assemble immediately in the Majority Caucus Room.

Immediately following the House conferees' meeting in the Majority Caucus Room, we will assemble in Room 310 to meet with the Senators."

At 11:58 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned.

SIXTY-FOURTH DAY

Thursday, April 30, 1981

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 12:12 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Representative Richard M. Matsuura, after which the Roll was called showing all members present with the exception of Representatives Blair, de Heer, Dods and Honda, who were excused.

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

APPOINTMENT OF
CONFERENCE COMMITTEES

At this time, the Chair appointed the following conferees on the part of the House for H.B. Nos. 1, HD 1, SD 1; 2, HD 1, SD 1; 1870, HD 1, SD 1; 1879, SD 1; 241, HD 1, SD 1; 1716, HD 2, SD 2; 1724, HD 2, SD 2; 1239, HD 1, SD 1; 629, HD 1, SD 2; and 1167, HD 1, SD 2; and S.B. No. 454, HD 1: Representatives Kunimura, Chairman; Kiyabu, Albano, Andrews, Fukunaga, G. Hagino, Hashimoto, Kobayashi, Levin, Morioka, Nakasato, Okamura, Lacy, Marumoto, Narvaes, Wong, Nakamura, Say, Takitani, Taniguchi, Tungpalan, Waihee, Anderson and Medeiros.

At 12:15 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 12:25 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Blair, de Heer and Honda.

At 12:26 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:25 o'clock a.m.

At this time, Representative Kunimura moved that the following Conference Committee Reports and bills which were recommitted to the Committee on Conference be placed on the Order of the

Day: Conf. Com. Rep. Nos. 60 on H.B. No. 1, HD 1, SD 1, CD 1; 61 on H.B. No. 2, HD 1, SD 1, CD 1; 62 on H.B. No. 1870, HD 1, SD 1, CD 1; 63 on H.B. No. 1879, SD 1, CD 1; 64 on S.B. No. 454, HD 1, CD 1; 65 on H.B. No. 241, HD 1, SD 1, CD 1; 66 on H.B. No. 1716, HD 2, SD 2, CD 1; 67 on H.B. No. 1724, HD 2, SD 2, CD 1; 68 on H.B. No. 1239, HD 1, SD 1, CD 1; 70 on H.B. No. 629, HD 1, SD 2, CD 1; and 55 on H.B. No. 1167, HD 1, SD 2, CD 1.

The motion was seconded by Representative Kiyabu and carried.

Representative Kunimura then stated:

"Mr. Speaker, the Committees on Conference to which was recommitted the aforementioned bills met in open conference and after full and free discussion on each of said bills, have agreed to recommend to our respective Houses the passage of said bills.

Your Committees on Conference agree with the findings and conclusion as set forth in the respective Conference Committee Reports as heretofore printed and distributed covering said bills."

Representative Kamali'i then rose on a point of privilege of the House and stated:

"Mr. Speaker, this House does not have a true procedure for comment on actions taken by the entire House -- except for this point of privilege of the House -- and I ask your permission to offer my reaction to the limited extension of this session."

Directed by the Chair to "proceed", Representative Kamali'i continued:

"Mr. Speaker, I believe that this House has been very conscientious in trying to fulfill its responsibilities and duties to the people of this State. Naturally, we have and will continue to have disagreements on specific bills or actions taken. However, we have been in common agreement that the public good was best served by our continuing to meet past the sixty days allotted by the State Constitution for our deliberations.

We have done that at some risk -- for the general public of Hawaii

does not really care about the reasons for our extensions, no matter how justified -- all they know is that we had a deadline to meet, and we failed to cross that line on time.

Well, I very much resent that this impression has been given some validity by the carelessness of the Senate. They may say that it is the 'Sunshine Law' which they are now trying to satisfy and I say it is a number of egos that they are having to stroke once again, and that combination means 'sun stroke.' We all get burned -- this House, the Legislature, the citizens of Hawaii.

Mr. Speaker, this House was in order and prepared to act on time. It was the Senate which has caused this delay.

Our laws, our traditions, our personal political experiences have left us unprepared with how to behave properly. And I believe the Senate has behaved very badly in this instance.

Mr. Speaker, I find that irresponsible. The only action that would be even more irresponsible would be to allow the work of this session to be lost because we could not rise above our personal anger at those individuals who have caused this additional delay.

Thank you, Mr. Speaker."

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 and Final Readings on the basis of a modified consent calendar.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 60 on H.B. No. 1, HD 1, SD 1, CD 1:

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

Representative Lacy then rose and stated:

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

Directed by the Chair to "proceed", Representative Lacy continued, stating:

"Mr. Speaker, I believe that this budget is the most thoroughly reviewed document in my three years on the Finance Committee, and the Chairman of the Finance Committee has been most open and receptive to our individual comments. The Senate/House negotiations were dynamic and most revealing.

For instance, one department finally admitted that it had padded its budget by more than \$600,000 so it would have some cushion later in the year. The testifier admitted that they had always done this. Let us not be alarmed because I am sure that this can happen and has happened and will continue to happen until we take more drastic action in these budget areas.

Mr. Speaker, our problem is that we don't have a staff sufficient in size to really look into this total budget in the short period that we are here. Many of the House Committees have an odd theory, Mr. Speaker, that the Governor's budget can't be cut; that is just fiscally unsound and, Mr. Speaker, I hope you will tell your Chairman that they owe it to the people to investigate those budgets more closely.

Mr. Speaker, I was most impressed with the Chairman of the lower Education Committee and his thoroughness of planning and knowledge of the budget. He was certainly instrumental during our Conference Committee in correcting many of the inequities of the Governor's budget while we were in session.

The next area I wish to point out in which our final budget was so important was in the grants-in-aid. This Governor's administration devastated the past years' planned programs for our people, especially those who are afflicted with substance abuse, incurable illness such as arthritis and hemophilia, and many of the members here understand what I am speaking of.

The House and Senate united under the leadership of really our House Finance Committee and put \$6.8 million back, repeat, back into the budget. Fellow Representatives, the Governor doesn't have the answer

to our problems. We must scrutinize his budget next year with a finer tooth comb and find those padded areas to cut and give our constituents the best spending plan for the good of our citizens.

Mr. Speaker, I hope your personal leadership will provide that guidance during the interim.

In conclusion, I ask that all of my colleagues join the Chairman of Finance and unanimously approve of this budget.

Thank you, Mr. Speaker."

Representative Albano then rose to speak in support of the measure, stating:

"Mr. Speaker, House Bill No. 1 addresses a lot of our concerns from economic development to education, health, social programs, transportation, housing and the funding of private agencies that provide social services for our people. But most important of all is how we can adopt a budget within the spending limit as mandated by our State Constitution.

Your Committee on Finance, Mr. Speaker, had spent thousands of tedious hours in order to collect and extract vital information through public hearings as a basis of our decision in recommending to this body a budget for the fiscal biennium 1981 to 1983. We may not have satisfied everybody, but the fact of the matter, Mr. Speaker, is that we are recommending a State budget that is based on what we honestly and sincerely believed is in the best interest for the people of Hawaii.

Mr. Speaker, this bill under consideration is one that we cannot be ashamed of, one that we cannot be embarrassed, and one that we can defend against any criticism. In spite of the pressure from certain groups in our community to spend beyond the spending limit, and the heavy demands for increases in State government expenses and the many requests for funding of private agencies that provide social services, your Committee on Finance has withstood firm under belief that they have done their best for the best of the people of Hawaii, denying the heavy demand for increase in State government dollar expenses as we felt were unjustified. And in many instances,

we have prudently decreased or denied the funding of some existing private agencies for social services and if my memory serves me right, there are only two new programs that were funded this year and many others were judiciously denied.

Mr. Speaker, House Bill No. 1 is the product of the work done under the inspiring and dedicated leadership of your Finance Committee Chairman, Representative Tony Kunimura, with the assistance of his Vice Chairman, Representative Ken Kiyabu, who were able to get the members of this Committee to work under a spirit and atmosphere of harmony, cooperation and dedication, working dedicatedly and with hard work, giving 99 percent of their time to their legislative duties during this session.

As a freshman legislator and a member of the Finance Committee, Mr. Speaker, may I thank all the members and leaders of this House, especially you, Mr. Speaker, for the support that you have given us.

In closing, may I urge all my fellow legislators to vote in favor of this bill.

Thank you, Mr. Speaker."

The Chair, at this time, made the following announcement:

"Before we proceed with further discussions on this measure as well as other measures, the Chair would like to announce that it would be happy to open the Journal for the purpose of entering your remarks. If you decide to share those observations on this floor, you may proceed, keeping in mind the time constraints. The Chair would appreciate that."

At 2:40 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 2:41 o'clock a.m.

Representative Marumoto then rose to speak in favor of H.B. No. 1, stating:

"Mr. Speaker, as the first introducer of a general fund spending limit proposal in the 1978 Constitutional Convention, I am elated that the Legislature is reportedly under the ceiling this year. I believe

this happened despite a multitude of pressures from various special interest groups requesting more money.

It is not that many of these requests were not worthy. Particularly in the areas of health, education and welfare, the State could easily have poured many more millions of dollars to assuage the insatiable needs of hospitals, schools and of those in need.

Admittedly, there are other areas where the State, in the opinion of some, has overspent and where needs are not half as urgent.

So while it is obvious that this budget is not a perfect document, those dissatisfied can have comfort that it will be revised from year to year.

But my main concern today is the spending limit. Even as this concept was discussed in Con Con, I had my doubts as to whether it would really come about. Opposition to it came from powerful political entities back then. Even after ratification, I worried about it becoming a reality.

During the 1979-1980 biennium, I still doubted that the Legislature would pass the necessary enabling legislation to implement the amendment. It could easily have gotten snagged in determining the selection of the 'economic indicator' on which the spending limit was to be based.

Even Eileen Anderson, who was then Director of Budget and Finance, at the time said that she had 'grave concerns that if we do not insist on following that mandate now, our reasons for not doing so in the future will be easier and easier to justify.'

When 'TPI', (Total Personal Income), was finally selected in 1980, I was truly encouraged.

Today, as we pass House Bill 1, I am jubilant. A budget under the ceiling seems like a miracle, one that happened despite odds, one that curtails free wheeling spending policies. I commend the Legislature for resisting many entreaties for more funds, for resisting the creation of many special funds, for returning surplus funds to our beleaguered taxpayers,

and for adhering to this constitutional provision.

I am also happy with the generosity of the income tax credit and the excise tax credit bills. Many a man on the street has been quoted as saying, 'keep your \$50 or \$100 and spend it on something worthwhile.' I am sure that the taxpayers will find many uses for the extra dollars this tax credit will put back in their pockets. Republican measures would have cut off payment of food and drug taxes before they were paid, but this alternative is acceptable and long overdue.

And to those who believe that these measures are too generous, may I tell you that in 1979, Wisconsin returned \$942 million to its people via a two months income tax moratorium.

I hear from the Senate that there are some questions as to why this budget is under the limit, but I take it at face value. I presume its propriety, its constitutionality, and I ask all of you to endorse this budget and the general fund spending ceiling which it supersedes.

Thank you, Mr. Speaker."

Representative Narvaes then rose and stated:

"Mr. Speaker, just some short remarks about this bill.

Mr. Speaker, first of all, I would like to compliment the leadership of the House, both in the Minority and the Majority, and also compliment the Chairman of the Committee and the Vice Chairman for a job well done.

Mr. Speaker, the proceedings that have brought us to this Conference Draft 1 have been the most open I have seen and I am proud to have been a part of that process. This budget is very fiscally sound, but I still believe it has a little fat like the Admiral says, you know. I am glad that we did cut some programs like 'Pierre the Pelican' and the Commission on the Year 2000, and hope in the future we will take a look at other like projects and, hopefully, cut them, because I don't believe that the State government should be providing some of these. If they can just provide the basics, that's super.

In closing, though, I would just like to also give a little aloha and thanks to all the work that has been done by all the people on the Finance Committee and it's really truly been an honor

serving with them."

Representative Toguchi then rose and stated:

"Mr. Speaker, I rise to speak in favor of H.B. No. 1, HD 1, SD 1, CD 1. While this bill encompasses all of our government programs and services, as Chairman of the House Education Committee, I feel a responsibility to comment on that portion of the State budget relating to education.

Mr. Speaker, at the beginning of this session, we began our work on the education budget which was extremely austere. In fact, Mr. Speaker, it was one of the most austere of all education budgets ever presented to the Legislature. It was apparent, I believe, that the Legislature needed to carefully examine these deletions and restore funds to protect essential programs.

Mr. Speaker, let me briefly highlight the provisions contained in the budget for education and I will try to make it as short as possible. The Board of Education's top priority was its Intensive Basic Skills Program, which seeks to provide students with the ability to build a sound educational foundation. In consideration of the Board's emphasis, the Legislature increased the executive budget request by adding almost \$900,000 for a total of nearly \$1.5 million in the biennium to support the Intensive Basic Skills Program.

We have also sought to provide for the unique circumstances of individual schools by restoring \$2 million in special needs funds over the biennium. Fifty reserve teacher positions have also been provided to meet unanticipated needs as they arise or to maintain special courses threatened by falling student enrollments.

Mr. Speaker, to ensure equal educational opportunity for all students and to respond to federal mandates, funds have been restored to provide additional special education teachers. The budget also provides additional resource teachers to coordinate programs for the gifted and talented, to increase the instructional assistance to students with limited English proficiency.

Mr. Speaker, as you know, a major concern of the House Majority is the alarming increase in violence and vandalism in our schools.

To restore a positive and secure atmosphere in all our schools, a full range of measures has been put together to effectively deal with this problem. This includes funding for full-time counselors at 50 of our elementary schools that presently have half-time counselors and the provision of second counselors for elementary schools with a thousand or more students.

Mr. Speaker, we have also restored back Vice Principal positions which is also part of our program to control violence and vandalism. Other funds have been restored to strengthen alternative education programs for alienated students, and 50 additional security aides were added to the executive budget request to ensure a safe environment on school campuses.

We have also provided for special programs in recognition of our unique Hawaiian cultural heritage and our island location at the crossroads of the Pacific. Funds have been also included to support and expand programs in Hawaiian Studies, Marine and Aquatic Education, and Asian, European, and Pacific languages.

To help meet the needs of students for meaningful extracurricular activities, the budget allows for the expansion of the ROTC program and provides almost a million dollars for 32 full-time and 6 half-time athletic directors for high schools with extensive sports programs.

And finally, Mr. Speaker, we have provided for the improvement of the safety and utilization of school facilities by adding \$5.8 million for the elimination of asbestos health hazards in classrooms. Funds for electricity have been reduced by ten percent across the board to promote energy conservation, and we have provided for the hiring of an energy specialist to aggressively pursue energy conservation measures.

Mr. Speaker, what I have done is to simply highlight and illustrate the point that the document before us is thorough, coordinated, justifiable, and fair. I am proud to have played a part in the preparation of this complex document.

Despite these times of fiscal uncertainty, I believe that the budget we have before us goes far beyond meeting only the bare minimum needs of our schools. Faced with the financial limits imposed by the spending ceiling, I believe we have done a good job through this budget of promoting quality education in this State.

Finally, Mr. Speaker, I would like to thank the Chairman and members of the Finance Committee for a job well done.

Mr. Speaker and members of this House, I urge you to support the passage of this measure before us.

Thank you."

Representative Segawa then rose and requested that his remarks, in favor of the bill, be inserted into the Journal, and stated:

"Mr. Speaker, I have a few comments in favor of House Bill No. 1, HD 1, SD 1, CD 1, and I would like to just summarize that it commends the Finance Committee and their work, and especially their commitments to the health care of the people of Hawaii.

Thank you."

The Chair "so ordered."

Representative Segawa's remarks are hereby inserted:

"Mr. Speaker, honorable colleagues, ladies and gentlemen: I rise to speak in favor of House Bill No. 1, HD 1, SD 1, CD 1.

Mr. Speaker, in my seven years, the health budget, in the area of programs and services, is probably the best that any Hawaii Legislature has ever appropriated.

In this day of budgetary constraints and strong competition for funds, this Eleventh Legislature can be proud of its concerns and strong commitment in taking care of the health of the people in this State.

Including appropriations to maintain current services, several additional positions have been allocated to County/State Hospitals and the State Hospital.

But the most significant provision of the health budget is the allocations to private non-profit organizations who provide essential health services to the community. If you will recall, over two million in Title XX Federal Funds were diverted to other social programs and we were faced with the dilemma of cutting services.

I commend the conferees who somehow found funds to replace Title XX funds plus funds to maintain

most current services with an appropriation of over \$4,352,000. It is no wonder that people in Hawaii are considered to be the healthiest people in the nation, if not in the world, and it is no accident as evidenced by this budget.

This House has more than responded to the needs for the health care of our people."

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

"Mr. Speaker, as Chairman of the Public Assistance and Human Services Committee, I really commend the Finance Committee and the members, especially the Chairman, for putting together my program the way it is when we first had it before it went to the Senate. They gave me ten investigators for my medicaid fraud; they gave me extra three people for child abuse; they gave me all the things that we had asked for and what was cut off by the Senate was restored in this budget.

Thank you again Finance members, thank you Mr. Chairman, and thank you, Mr. Speaker. This is a good budget and I urge my fellow legislators to support it.

Thank you."

Representative Takamine then rose and stated:

"Mr. Speaker, while I speak in favor of the bill, I am going to vote for this bill with much reservation, and that reservation I would like to, just for the record, say that because of the lack of action on the other house, on House Bill 38, there is no question that this bill was a long way towards solving our many problems of the past, but just to give you an example. . . for instance, because of the cutback in the CETA Program, only in the area of Department of Education, they have lost 255 positions, and because the other house is not acting and cannot act on House Bill 38, they would be losing another 73 positions, and this is only in one department. A total of about 383 positions will be lost, again, because of the lack of action on the other house on House Bill 38. So I cannot feel that all of the departments will be hurt if House Bill 38 is not passed and, hopefully, that during the interim that it will show up and we can take some action to correct this measure the next time in the

next session.

But more important than that, Mr. Speaker, I feel that it is really unfair, unequitable, when we are spending so much -- we are spending about \$130 million -- to take care of the people that are working today, and here, we are going to cut off about 383 people that is lowest on the totem pole. They will be completely left without a job come June 30th.

If we have talked about and got lot of praises in the paper about taking care of our crime situation, I cannot help but feel that the real cause of much of the problems today stems from the fact that they don't have jobs and that these 383 workers will not have a spokesman, will not have lobbyists, as others do, so while I am voting for this measure, I vote with much reservation.

Thank you, Mr. Speaker."

Representative Kunimura then rose and stated:

"Thank you, Mr. Speaker, I will make it very short.

First of all, I want to thank each and every member of the Committee and especially the Vice Chairman of the Committee, Mr. Speaker, you have made a good choice. He has become my right hand and a very trusted and very loyal supporter. Mr. Speaker, the Chairman is only a person who hangs on to the gavel, but the truth is the Committee is made up of good, hardworking members, and this is one time we had good, hardworking members, and I want to thank each and every one of you. And, Mr. Speaker, our House is blessed with good, honest, hardworking employees. They make the difference, too. They researched well; they gave us the ammunition necessary, and I can say this and report to you right now that of all the members on the Finance Committee, especially the freshmen members, that I have had some doubts. . . turned out to be real veterans, and you will see them rise the next session, and the next session, and the next session, to become leaders of this State because they have learned one thing, that only work makes good product.

Mr. Speaker, I am told that

some of us are being called some awful names across the other side of the rotunda, but I am not going to rebut. But I would like to make one thing sure, that this House is made up of individuals that are not afraid to say that we made a mistake. I can say here that when I decided to recommend to the Finance Committee that we don't go with the second increment of the garage up there by Punchbowl and Vineyard, I made a mistake because I didn't know that according to the plans, it will be a very ugly, incomplete building and that by putting the second phase, it will save the money for this State because it won't deteriorate and make the building much more pleasant to look at, and I want to thank whoever is responsible for getting the message to the House conferees.

In life, Mr. Speaker, we must face up to one fact, that if we can't stand and say we made a mistake, then we are not men or we are not women, we are children, and across, on the other side, we still have some boys that got to have their toy and their way, and I will not mention names or comment, but I am happy to be in this House, and I would rather be in this House than any house in the whole State of Hawaii.

Mr. Speaker, again, thank you very much for the patience, and thank you for giving us the kind of support that we needed when the times were rough, and again to the members of this House, I am sorry that we were not able to bring all the things that you individually wanted, but we tried and if we fell short, please forgive us, but please vote for this document.

Thank you."

Representative Medeiros 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 Medeiros' remarks are hereby inserted:

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

Mr. Speaker, my remarks are directed towards the section of this bill appropriating monies for our school security aides program. The problems of violence and vandalism in our public schools is nothing new to us. It is critical to the learning process that we ensure that the atmosphere of our schools is safe and secure. The fear of violence and intimidation is always growing.

We recognized these problems when we first implemented the school security aides program. That initial appropriation was for \$50,000; since then, the program has grown immensely. In this bill, we have earmarked \$777,700 for the security aides program.

Mr. Speaker, this program has been very successful in stemming the incidents of vandalism, threats and assaults. I find it very commendable that the Legislature has shown its support for the continuation of this program. For without it, our school grounds may become battle grounds.

Mr. Speaker, although this program is very successful, the problems of our schools never cease. With over two hundred public schools to cover, the job is never ending. For some of our security patrols, we are only limited to spotchecks. It is a task which requires an enormous amount of manpower. It is sad that continuation of this program is inevitable. But, making our school campuses completely safe and vandalism free is a goal we must always strive for.

I, therefore, urge my colleagues to support this measure.

Thank you."

At 3:00 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 3:01 o'clock a.m.

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", having been read throughout, passed Final 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 Final Reading at 3:02 o'clock a.m.

Conf. Com. Rep. No. 61 on H.B. No. 2, HD 1, SD 1, CD 1:

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, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 2 had passed Final Reading at 3:03 o'clock a.m.

Conf. Com. Rep. No. 62 on H.B. No. 1870, HD 1, SD 1, CD 1:

Representative Takitani moved that the report of the majority of the Committee be adopted and H.B. No. 1870, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Kunimura.

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

"Mr. Speaker, today, I refresh my memory as much as I could from the reports that had been filed by the Governor's Committee on Executive Salaries and the Tax Foundation report of November. The essence of the Governor's Committee report, Mr. Speaker, contains a very strong recommendation for an ongoing Compensation Review Commission and sort of as an aftermath, gave the recommendation that we have in the interim solution of an increase in the salaries which we are considering. If we had a long-term ongoing Commission, all of the aspects that relate to this bill could have been considered -- things like salaries are one thing, but there are other benefits and perquisites that go with government positions.

The Tax Foundation study made a very detailed examination of the criteria in entering into a decision on salary matters, including an examination of population and other factors which affect the decisions of other states and what they are paying their Chief Executives and their high government officials. The upshot of that report was very clearly that we ranked very well amongst the states who are comparable to us in these various criteria of population, revenues, expenditures, per capita income, and so on. That report concluded that when all 33 states which have one or more similar elements of comparison were surveyed, 75 percent fell into salary categories of \$55,000 and below for the Chief Executive's salary. I have to conclude that in reading the factual data, that there is not a strong case for the increase of the salaries of executive officials compared to other states.

In our Conference Committee report and other documents that are before us, there is an absence of an analysis and an argument or rational basis for the figures which have been arrived upon which are before us to vote on this morning. I wonder why we have not faced the issue of the ongoing, long-term Salary Commission to take the big picture. I wonder, looking back over the years, and I can admit making a mistake to my honorable colleague across the aisle from Kauai, that we haven't pushed harder to get such a Commission over the years, and why we, as legislators, members of this House, members of the body across the building, let ourselves get whipsawed into voting the one time on collective bargaining packages, next time on judicial, next time on executive, et cetera, and it's one on top of the other, and if you gave it to one, then you must give it to the other.

There is some who blame this on the County, particularly the City and County of Honolulu, that the Mayor's salary is high and that sets the standard for the other employees. But they have tied it to the bargaining unit; they have tied the higher positions in the City and County without really a rational basis. But that is their political problem. My problem, and I think the members of this body's problem, is how we vote on a bill where we represent our constituents and are, on a statewide basis, making that decision. Certainly, to look at the County's situation and argue that because they have done that, we should do the same is to endorse the concept that two wrongs make a right.

Nationally, we are facing a very difficult period. We have a long overdue need to tighten the belt. We need to recharge our economy and we need to get off the hook of printing money. In Hawaii, we have a severe economic problem coming from the problems in our visitor industry. In this climate, I think that it behooves the leadership of the State and the Governor on down to set an example and hold the line on salaries of government employees rather than to push for increased spending. And I think so, particularly when I pay my electric bill and the other bills that come in to the household, and I think about the standard of living of the average

citizen of this State and how it is declining because of the lack of purchasing power. We can only afford to pay public servants what we can afford to pay the citizens, and I think that is what really matters in this situation.

In conclusion, Mr. Speaker, referring back to the electorate's choice in November, I would like to quote two sentences, very brief ones from President Reagan's talk to the Congress the other night in referring to the results of that election and the message that was sent: 'That message is very simple. Our government is too big and spends too much.'

I think that this bill recognizes and endorses the fact that our government certainly is spending too much.

Thank you, Mr. Speaker."

Representative Narvaes then rose and requested that his remarks, against the bill, be inserted into the Journal and after review by the Chair, the Chair "so ordered."

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

Mr. Speaker, we are all well aware of the ravages of inflation over the past decade. Resolving this problem has come to be a primary concern of the citizens of Hawaii. Voters have certainly expressed this concern on a national level by installing an administration committed to stemming inflation through budget cuts, tax cuts and establishing a balanced budget.

Unfortunately, inflation is often fuelled by a cycle of pay raises given to keep up with inflation but which in turn contribute to that very same inflation. At some point, the cycle must be broken if we are ever to get inflation under control.

Someone is going to have to lead the way and set the example of breaking the cycle of pay raises and inflation. It should rightly be the Governor. All eyes are upon him. His example of maintaining a standard of living within his present luxurious pay level will, hopefully, lead other groups in the State to accept these economies. Only by actions such as this will we start to slow the cycle of inflation that is hurting everyone of us in this State and country.

Mr. Speaker, the Governor and public executives are already paid

enough. They do not need a pay raise. Many others in this State, especially in the private sector, need pay raises but are not getting such. Our Governor should follow their example, but instead, this bill would raise his salary 18 percent. He already makes \$50,000; he does not need an 18 percent pay raise.

I will vote 'no' on this bill and urge my colleagues in the House and even in the Senate to kill this bill."

Representative Kamali'i then rose and stated:

"Mr. Speaker, I rise to speak against this bill, and for my entire caucus.

Mr. Speaker, traditionally when we consider setting the salaries for elected and appointed government officials, we speak of (1) comparable levels in the private sector and the need to compete with corporate pay so as to attract the highest qualified public servant; and (2) the need to maintain an appropriate distance between the salaries of the executive and employees.

On surface examination, these points seem persuasive arguments for the pay raises contained in this bill. There is no denying that a Chief Executive with a billion dollar budget and 49,000 employees will be paid at least \$50,000. In fact, such corporate officers would and do receive many times that salary. If that is the case, and that is the argument, then why don't we set the Governor's pay or that of the Director of Budget and Finance, or the Attorney General, at \$150,000 or \$300,000, and then vote them a Christmas bonus. Why? Because their positions are fundamentally different -- different in nature and kind from a corporate officer and cannot and should not be compared.

Government service is not supposed to be a lucrative occupation. Officials in government, for various personal reasons, have chosen to give of their time, energies and abilities -- chosen, we all hope, for notions of service for public good. These ideals may seem old-fashioned but they are the highest values of this profession called 'politics.' We have an underlying assumption that we are in competition with the private sector. We are not, nor should we ever be. If a person wants a large salary, let him go

to work in the private sector. He should not be in government. Leadership in government demands sacrifice -- sharing with the people of Hawaii their austerities and economies facing so many of them today.

Now, what about the second argument -- the presumed need to maintain a position of authority in salary as well as title? Well, if we mean to maintain that distance between public officers and public employees, maybe we should link executive salaries to the collective bargaining agreements. Whatever is negotiated for the blue or white collar units would also apply to presently exempt offices. But we don't do that. Why? Because government officers have a different boss -- the people of our State -- and these officers are already making much more than their employer.

The median family income in this State is under \$18,000. The Governor is making almost three times that, and that's without considering the value of home, personal staff, cars, contingency funds, and all the other benefits by which the taxpayers are asked to supplement his salary of \$50,000.

Mr. Speaker, we have asked the people of Hawaii to tighten their belts, to accept cutbacks in government services and social programs in order to fight inflation and reduce taxes. It is only fair that executive officers do the same. In good conscience, we can ask the taxpayers to support a two-year compounded raise of 18.8 percent for executive officers. \$626,000 for raises is a luxury we can't afford at this time when even necessities are hard to come by.

My Republican caucus will vote 'no' on this measure and I hope all of my thinking colleagues will join me."

Representative Anderson then rose and stated:

"Mr. Speaker, I wish I had some comments that I could put into the Journal that were written; however, I am going to speak against the bill, but I am going to do a little reversal this morning. Normally, you have somebody say I am going to do this with reservations and they tear something apart. I fought very, very hard for this pay raise. Unfortunately, I come from a very conservative district and I am here to represent the people that I represent -- my constituents.

I thoroughly believe that nobody comes into government to make money. But, ladies and gentlemen, no matter what job you have, be it refuse, school teacher, or whatever, we all know what we are getting when we take that job, but we sure as hell don't expect to be there forever. For five years now, we have not given a pay raise to the Governor and to the department heads. It was just this past year that we even did it for our staff people because every time we turn around, we are afraid of what people are going to say. And it really bothers me that the Governor of this State, and I am not talking about George R. Ariyoshi, I am talking about the position of Governor, that we don't feel that \$60,000 is a fair price for that. The media has done a lousy job in letting the people know that the Governor's salary today is \$50,000. The 20 percent that we are talking about gives him an increase of \$10,000.

For the last couple of days, I have been talking to my constituents. I have asked them, 'Do you know what the Governor of this State makes?' because that's where it has come down to, not the department heads or anything else -- it is the Governor. And they said, 'Sure, \$120,000, \$150,000.' That's base pay, that's what they figure, and that's because we have not gone out and told them it's \$50,000. Sure, he has amenities. We have a news or a radio man that sits back and tells us what a lousy job we are doing and he says we should fund a program where the director makes \$80,000 and he has amenities, and that's all right.

Well, let me tell you I don't care how bad they say this bill is; I will vote it down. But I think that the Governor position of this State certainly deserves a \$10,000 raise which will then make it \$60,000.

I hope everybody else votes down this measure.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.B. No. 1870, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS OF THE STATE AND MAKING APPROPRIATIONS THEREFOR", having been read throughout, passed Final Reading by a vote

of 37 ayes to 13 noes, with Representatives Anderson, Baker, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros, Monahan, Narvaes, Rohlfling and Wong voting no, and Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 1870 had passed Final Reading at 3:20 o'clock a.m.

Conf. Com. Rep. No. 63 on H.B. No. 1879, SD 1, CD 1:

On motion by Representative Takitani, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1879, SD 1, CD 1, 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 Final Reading by a vote of 50 ayes, with Representative Dods being excused.

Conf. Com. Rep. No. 64 on S.B. No. 454, HD 1, CD 1:

On motion by Representative Takitani, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 454, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 1879 and S.B. No. 454 had passed Final Reading at 3:21 o'clock a.m.

Conf. Com. Rep. No. 65 on H.B. No. 241, HD 1, SD 1, CD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 241, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Kiyabu.

Representative Lacy then rose and stated:

"Mr. Speaker, a couple of short remarks in favor of this bill.

Mr. Speaker, many persons became involved in trying to figure how we might be able to help the elderly,

those of low income with numbers of children, as our cost of living has been rising each month on us.

I am sure that the members of Kokua Council will be most pleased with this bill. They have, for many years, asked that the 4 percent tax on food and drugs be dropped. I think that, through members of this House, we have come up with a bill that answers many peoples' prayers to give them a little help against this tax on those crucial things, especially in the food area.

Mr. Speaker, the reason I am speaking on this is because I know all the other members know that that is something we passed -- I want to remind them that we did cancel a program in our budget. The Tax Commission will die in September. There was no money furnished nor the permission for that Commission to extend the time of their life. Therefore, we have to sort of change our plans, Mr. Speaker, and we all must work together and see if we cannot do internally what we were not able to do in accordance with the Constitution. I do not believe that anything that comes out by September will be meaningful in thoroughly studying our total tax structure and give us the answer. So I do think we have to be thinking about the excise tax. We have to be thinking about whether or not our income tax shall be indexed so I ask that you consider this for the interim and, maybe in a combination of both Houses, we get to work on this right away so that next session, we can prepare our tax structure.

Thank you, Mr. Speaker."

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

"Mr. Speaker, the other House has talked long, loud, over and over again, let us repeal the tax on food and drugs. When an opportunity to do so by extending the life of the Tax Review Commission, they said no -- no money, no extension. And I thank God that this House was alert in having this bill ready across the hallway and in conference because this is the bill that incorporates most of the money collected on the 4 percent on food and drugs to be

rechanneled back to the people of the State of Hawaii, and as long as this bill is in effect, Mr. Speaker, we would have kept faith with the people by saying that although the tax was not repealed, we are, in practice, returning the money until such time that we can get the Senate to agree for a meaningful Tax Review Commission to review and recommend an overhaul, if necessary, for the entire tax structure of the State 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. 241, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXCISE TAX CREDIT", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Dods being excused.

Conf. Com. Rep. No. 66 on H.B. No. 1716, HD 2, SD 2, CD 1:

On motion by Representative Takitani, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1716, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Dods being excused.

Conf. Com. Rep. No. 67 on H.B. No. 1724, HD 2, SD 2, CD 1:

On motion by Representative Takitani, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1724, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEE'S RETIREMENT SYSTEM OF THE STATE OF HAWAII", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Dods being excused.

The Chair directed the Clerk to note that H.B. Nos. 241, 1716 and 1724 had passed Final Reading at 3:25 o'clock a.m.

Conf. Com. Rep. No. 68 on H.B. No. 1239, HD 1, SD 1, CD 1:

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, SD 1, CD 1, entitled: "A BILL

FOR AN ACT RELATING TO STATE BONDS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 1239 had passed Final Reading at 3:26 o'clock a.m.

Conf. Com. Rep. No. 69 on H.B. No. 1470, HD 2, SD 2, CD 1:

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

At 3:27 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 3:28 o'clock a.m.

Conf. Com. Rep. No. 70 on H.B. No. 629, HD 1, SD 2, CD 1:

Representative Nakamura moved that the report of the Committee be adopted and H.B. No. 629, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Kunimura.

Representative Rohlfing then rose and stated:

"Mr. Speaker, very briefly, no talk on this other than to say that basically the same reasons that we asserted earlier would apply to our position on this measure."

Representative Albano 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 Albano's remarks are hereby inserted:

"Mr. Speaker, it is my honest and sincere opinion that the judicial officials deserve an increase in pay like anyone working for the State and City governments. We have seen State and City government workers receive pay increases every year for the last many years while the judicial officials have not had an increase in pay for the last five years.

The judicial officials are no different from other government workers. If we approved pay increases this year for some government workers who had been receiving pay increases every year, at the rate of 18 percent in the next two years, may I ask this honorable body, where is that sense of fairness and justice in which the greatness of the American people is built?

If our concern is to slow down the ever increasing pay of government officials and workers, denial of an increase in pay for those who had not had one for the last five years is clearly not the right answer.

I don't have any solution for this particular concern, Mr. Speaker, but I hope we will be able to find the right solution.

In the meantime, I urge my colleagues to vote in favor of this bill.

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. 629, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Final Reading by a vote of 38 ayes to 12 noes, with Representatives Anderson, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Medeiros, Monahan, Narvaes, Rohlfing and Wong voting no, and Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 629 had passed Final Reading at 3:29 o'clock a.m.

Stand. Com. Rep. No. 1149 on S.B. No. 1472, SD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 1472, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CLAIM CONCILIATION PANEL", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Dods being excused.

Conf. Com. Rep. No. 3 on H.B. No. 769, HD 2, SD 2, CD 1:

On motion by Representative Tungpalan, seconded by Representative G. Hagino and carried, the report

of the Committee was adopted and H.B. No. 769, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE 1984 SILVER JUBILEE OF HAWAII'S STATEHOOD AND MAKING AN APPROPRIATION THEREFOR", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Dods being excused.

The Chair directed the Clerk to note that S.B. No. 1472 had passed Third Reading and H.B. No. 769 had passed Final Reading at 3:30 o'clock a.m.

Conf. Com. Rep. No. 6 on H.B. No. 50, HD 1, SD 2, CD 1:

Representative Shito moved that the report of the Committee be adopted and H.B. No. 50, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Honda.

Representative Segawa then rose and stated:

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

Mr. Speaker, this bill, as it is before us, authorizes the issuance of an additional \$250 million in revenue bonds to provide mortgage money to persons who qualify, under a program commonly referred to as the Hula Mae loan program.

There is no doubt that previous authorizations have proven successful and helpful in this day of inflationary interest rates on mortgage loans. For this reason, I support this measure.

However, the statutes presently prohibits a loan to anyone who has owned a residential property within the past three years prior to applying for a loan. The House version of this bill would have eliminated this restriction to allow loans to qualified persons who own a vacant land. I believe this restriction is highly discriminatory against persons who have decided to invest their money in real property.

Mr. Speaker, I ask, what is the difference whether we allow a loan to a person who has \$10,000 in the bank or has invested \$10,000 down payment on a vacant land? Let me illustrate. If a person pays a down payment of \$10,000 on a vacant land which is worth \$50,000, his equity of only \$10,000

would be counted toward his assets. On the other hand, if a person has paid the full amount, inherits, or is given a piece of property worth \$50,000, his equity of the entire value would be counted as his assets and would disqualify him from being an applicant. The present statutes would assist the person who has \$10,000 in the bank and transfers this amount as down payment on a packaged house and lot, or a condominium. Relatively if he had \$50,000 in the bank, he would fail to qualify for such a loan.

Moreover, a large developer who buys a large piece of property and obtains front money to build tract homes, in a way, qualifies for Hula Mae funds, inasmuch as financial institutions are allowed to set aside Hula Mae funds for qualified individuals up to 50 percent of such a housing development. So why can't we do the same for an individual who has a piece of property and would like to use Hula Mae funds to build his own home? This is the discriminatory process that Senate conferees have refused to eliminate. I would not feel so strongly or incensed about this matter if the Senate could give a plausible reason for their refusal to eliminate this discrimination. While the Committee Report requests the Hawaii Housing Authority to study and report back on the need for loans by land-owner applicants, as well as agreement of sale applicants, I wish to inform the members of this House of the discriminatory nature of our present law regarding Hula Mae funds, especially to neighbor island residents, and the need to right this wrong next year.

Because of the overriding benefits to those who qualify for Hula Mae loans, I urge the members to vote 'yes' on this bill."

Representative Monahan then rose and stated:

"Mr. Speaker, I would like to incorporate (by reference) Representative Segawa's remarks as my own, please."

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

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

The Chair directed the Clerk to note that H.B. No. 50 had passed Final Reading at 3:34 o'clock a.m.

Conf. Com. Rep. No. 30 on H.B. No. 1048, HD 2, SD 2, CD 1:

On motion by Representative Blair, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1048, HD 2, SD 2, CD 1, 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 Final Reading by a vote of 49 ayes to 1 no, with Representative Hirono voting no, and Representative Dods being excused.

Conf. Com. Rep. No. 34 on H.B. No. 1680, HD 1, SD 2, CD 1:

Representative Segawa moved that the report of the Committee be adopted and H.B. No. 1680, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Kobayashi.

Representative Segawa 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 Segawa's remarks are hereby inserted:

"Mr. Speaker and honorable colleagues, I rise to speak in favor of H.B. 1680, HD 1, SD 2, CD 1.

This bill is a significant one inasmuch as it authorizes tax-exempt revenue bonds for eight hospitals and health care projects. Specifically, Castle Memorial Hospital -- \$9,100,000 for refinancing of long-term debt; G.N. Wilcox Hospital -- \$1,000,000 for refinancing of long-term debt; Kaiser Foundation Hospitals -- \$40,000,000 for construction of new hospital at Moanalua and refurbishment of Waikiki facility; Kapiolani-Children's Medical Center -- \$8,000,000 for refinancing of long-term debt; Kuakini Medical Center -- \$20,000,000 for refinancing of long-term debt; The Queen's Medical Center -- \$60,000,000 for new construction; St. Francis Hospital -- \$13,000,000 for refinancing of long-term debt; and Wahiawa General Hospital -- \$11,800,000

for new construction and renovation.

Prior to the enactment of Act 255 in 1980 to allow tax-exempt revenue bonds for health care facilities, the Legislature annually provided thousands of dollars in CIP funds to assist these private, non-profit hospitals which affected State CIP limits. With the enactment of this law, private, non-profit hospitals can now apply for tax-exempt bonds which provide lower interest loan payments and lead to lower health care costs and use CIP funds for other public projects.

For example, a 2 percent low interest saving on the Queen's Hospital \$60 million project would mean a savings of nearly \$1,200,000 in the first year and several million more during the loan amortization period. The savings in interests alone is more than the amounts that the State previously subsidized to these institutions.

This is a significant step towards containing health care costs, and I 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. 1680, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Baker voting no, and Representative Dods being excused.

Conf. Com. Rep. No. 43 on S.B. No. 163, SD 1, HD 1, CD 1:

On motion by Representative Kiyabu, seconded by Representative Nakamura and carried, the report of the Committee was adopted and S.B. No. 163, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INDEXING THE HAWAII REVISED STATUTES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Dods being excused.

The Chair directed the Clerk to note that H.B. Nos. 1048 and 1680 and S.B. No. 163 had passed Final Reading at 3:35 o'clock a.m.

Conf. Com. Rep. No. 49 on H.B. No. 919, SD 1, CD 1:

On motion by Representative Kiyabu, seconded by Representative Hashimoto and carried, the report of the Committee

was adopted and H.B. No. 919, SD 1, CD 1, 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 Final Reading by a vote of 50 ayes, with Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 919 had passed Final Reading at 3:36 o'clock a.m.

Con. Com. Rep. No. 53 on H.B. No. 344, HD 1, SD 2, CD 1:

Representative Kiyabu moved that the report of the Committee be adopted and H.B. No. 344, HD1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hashimoto.

Representative Ikeda then rose to speak in opposition to H.B. No. 344, HD 1, SD 1, CD 1, stating:

"Mr. Speaker, this bill is an interesting mix of entertainment and issue. On the lighter side, I see that we are reimbursing Mr. Escue for twice tearing his pants on a chair at Hawaii State Prison; another person will soon be receiving a check since her wristwatch was damaged in toilet training a child on public property. I think I speak for all of us in saying that we are not interested in reviewing the Finance Director's 'supporting data' on this case.

On the other hand, Mr. Speaker, the serious issue is that your Conference Committee has amended this bill to allow payment for these claims to be made in the closing months of fiscal year 1981.

One of our earliest statesmen, John Adams, observed that 'power has an encroaching nature.' And our entire system of checks and balances was established to keep this nature in rein. But what we have here is not encroachment in the traditional sense, but a new variety of cannibalism.

If the Conference Committee amendment to H.B. 344 is an indication that each successive Legislature can make this sort of retroactive appropriation, irrespective of the policies and philosophy of its predecessor, then the sooner

we start talking and thinking in terms of a fiscal triennium the better off we will be.

The fact that the State spending ceiling for fiscal year 1981-1982 would have been exceeded without this retroactive appropriation is not justification for the present amendment but a sign that we have not fulfilled the terms of our public contract. And it is another reason why I intend to vote against this measure.

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. 344, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Ikeda and Lacy voting no, and Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 344 had passed Final Reading at 3:37 o'clock a.m.

Conf. Com. Rep. No. 54 on S.B. No. 815, SD 2, HD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 815, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RENTER'S INCOME TAX CREDIT", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Dods being excused.

Conf. Com. Rep. No. 55 on H.B. No. 1167, HD 1, SD 2, CD 1:

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, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE VENTURE CAPITAL INFORMATION CENTER", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Dods being excused.

The Chair directed the Clerk to note that S.B. No. 815 and H.B. No. 1167 had passed Final Reading at 3:38 o'clock a.m.

Conf. Com. Rep. No. 56 on
S.B. No. 1507, SD 2, HD 2, CD
1:

On motion by Representative Kiyabu, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 1507, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Dods being excused.

The Chair directed the Clerk to note that S.B. No. 1507 had passed Final Reading at 3:39 o'clock a.m.

DISPOSITION OF MATTERS
PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 66, HD 2, SD 1, was taken from the Clerk's desk.

Representative Sakamoto moved that the House agree to the amendments proposed by the Senate to H.B. No. 66, HD 2, and H.B. No. 66, HD 2, SD 1, having been read throughout, pass Final Reading, seconded by Representative Kunimura.

Representative Kamali'i then rose to speak against the bill, stating:

"Mr. Speaker, the constitutional creation of the Office of Hawaiian Affairs was a profound and an expression of commitment by all the citizens of this State to fulfill a special and still emerging trust relationship between the Hawaiian people and all of Hawaii. That trust is betrayed by this bill.

There is a long and complex legal history to the nature and terms of the ceded lands trust created as part of the terms of the American annexation of these islands. No one, not here in the Legislature, in the State government, or in the Federal government, has truly satisfactorily answered questions about the extent, quality or beneficiary class of this trust. In fact, the Native Hawaiian Study Commission is a national effort to seek some resolution of just those problems.

This bill, however, presumes

to know a great deal about this trust, that is only for Hawaiians of 50 percent or more native blood, that they are indeed other Hawaiians who do not qualify for this trust, and that the pro rata funding of the office may be used to match State funding for administrative costs.

I am convinced that there has been the necessary research and judicial review for the determination of these conclusions. I have several other serious problems about this measure.

First, it may severely curtail the possible findings and recommendations of the Native Hawaiian Study Commission. Perhaps, many of you, unaware of the Public Law 96565, does more than merely establish the Native Hawaiian Study Commission. It also offers a new federal definition of native Hawaiians which does not rely on the blood quantum. Let me read that definition. The term 'native Hawaiians' means 'any individual whose ancestors were natives of the area which consisted of the Hawaiian Islands prior to 1778. Just as we have achieved a significant recognition of native Hawaiians as a people instead of groups, instead of blood fractions, this House is acting to endorse continued separation. For those of you who feel that such a quantum distinction between Hawaiian and native Hawaiians is in the State Constitution, let me tell you it is not. Such a definition was proposed but was not ratified; thus, in Kahalekia versus Doi, this provision was deleted from the final constitutional document.

My other main concern is that this bill then uses the questionable interpretation of trust beneficiaries to justify a State agency being asked to pay for half of its own operating expenses. Why? To pay the share of those other Hawaiians. How we so conveniently, in this body, decided that OHA's client group or groups are of equal numbers and of equal financial accountability, I don't know, and would find a basic challenge to this measure if I did not wish to refute the entire notion.

Why is it that we now have an agency which must pay any of its own costs? We are returning, my fellow colleagues, to the idea that there are State agencies which are somehow less equal than others in the level of support they receive. Only, only the Department of Hawaiian Home Lands was ever subjected to this same gross discrimination and stepchild status. The Constitution

explicitly mandated that the Hawaiian Homes was not to use its trust moneys for operating costs but neglected to make that same provision for the Office of Hawaiian Affairs. Either OHA is a part of the State government or it isn't. And I maintain that it is, and is therefore entitled to general funding for its operations, with or without the sanction of the trustees of the Office of Hawaiian Affairs.

These questions are far too serious, in my opinion, to be pushed aside or bought off for \$400,000. I would hope that even OHA, the trustees, would agree that its integrity and that of these concerns were maintained rather than sell out for a sum and I urge my colleagues to carefully consider what is really at stake here and defeat this bill.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 66, HD 2, and H.B. No. 66, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 47 ayes to 3 noes, with Representatives Anderson, Kamali'i and Rohlfling voting no, and Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 66 had passed Final Reading at 3:46 o'clock a.m.

By unanimous consent, H.B. No. 125, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 125, HD 2, and H.B. No. 125, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Baker voting no, and Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 125 had passed Final Reading at 3:47 o'clock a.m.

By unanimous consent, H.B. No. 126, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative

Sakamoto, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 126, HD 2, and H.B. No. 126, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Baker voting no, and Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 126 had passed Final Reading at 3:48 o'clock a.m.

By unanimous consent, H.B. No. 127, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 127, HD 2, and H.B. No. 127, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Baker voting no, and Representative Dods being excused.

By unanimous consent, H.B. No. 128, HD 3, SD 1, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 128, HD 3, and H.B. No. 128, HD 3, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Hirono voting no, and Representative Dods being excused.

The Chair directed the Clerk to note that H.B. Nos. 127 and 128 had passed Final Reading at 3:49 o'clock a.m.

By unanimous consent, H.B. No. 538, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Ige, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 538, HD 2, and H.B. No. 538, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Baker voting no, and Representative Dods being excused.

By unanimous consent, H.B. No. 1875, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Sakamoto, seconded by Representative Kunimura and carried, the House agreed to the amendments proposed by the House to H.B. No. 1875, HD 1, and H.B. No. 1875, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Isbell and Rohlfling voting no, and Representatives de Heer and Dods being excused.

The Chair directed the Clerk to note that H.B. Nos. 538 and 1875 had passed Final Reading at 3:50 o'clock a.m.

At 3:50 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:51 o'clock a.m.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Conf. Com. Rep. No. 69 on H.B. No. 1470, HD 2, SD 2, CD 1:

On motion by Representative Taniguchi, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1470, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION", having been read throughout, passed Final Reading by a vote of 40 ayes to 10 noes, with Representatives Baker, D. Hagino, Isbell, Lacy, Levin, Liu, Monahan, Nakasato, Rohlfling and Toguchi voting no, and Representative Dods being excused.

The Chair directed the Clerk to note that H.B. No. 1470 had passed Final Reading at 3:53 o'clock a.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 768 to 789) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 768) relating to Standing and Special Committees authorized to conduct

hearings during the interim between the adjournment of the Regular Session of 1981 and the convening of the Regular Session of 1982 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Morioka, Rohlfling and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 768 was adopted.

A resolution (H.R. No. 769) authorizing and empowering the Speaker of the House of Representatives of the Regular Session of 1981 to complete the work of the Eleventh Legislature was jointly offered by Representatives Yamada, Kamali'i, Kihano, Morioka, Rohlfling and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 769 was adopted.

A resolution (H.R. No. 770) authorizing the Speaker of the House of Representatives to designate which employees and officers of the House shall be given additional employment in order to meet the work after the session was jointly offered by Representatives Yamada, Kamali'i, Kihano, Morioka, Rohlfling and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 770 was adopted.

A resolution (H.R. No. 771) authorizing and directing the Committee on the Journal to compile and print the Journal of the House of Representatives of the Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Morioka, Rohlfling and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 771 was adopted.

A resolution (H.R. No. 772) authorizing the Speaker to approve the Journal of the House of Representatives of any legislative day being compiled as of the 63rd Day was jointly offered by Representatives Yamada, Kamali'i, Kihano, Morioka, Rohlfling and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 772 was adopted.

A resolution (H.R. No. 773) requesting

that, pursuant to rule 53.1 of the Rules of the House, the Administrative and Financial Manual of Guides of the House, be adopted for the Eleventh Legislature in the same manner and form as that adopted by the Tenth Legislature for the Regular Sessions of 1979 and 1980, and that the said Manual is incorporated herein by reference save and except that all references therein to the Tenth State Legislature (1979-1980) be amended to read the Eleventh State Legislature (1981-1982), and save and except also that the following sections be amended: Sec. 1.2 of Chapter 1 of Title 4; Sec. 1.3 of Chapter 1 of Title 1; Section 4.7 of Title 2 of Chapter 4; Section 1.6 of Title 6 of Chapter 1; Section 1.6 of Title 6 of Chapter 1; and Paragraph 5 of Section 1.6 of Title 6 of Chapter 1, was jointly offered by Representatives Yamada, Kamali'i, Kihano, Morioka, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 773 was adopted.

A resolution (H.R. No. 774) extending appreciation and thanks to the Honolulu Police Department for its fine and efficient service rendered to the House of Representatives, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 774 was adopted.

A resolution (H.R. No. 775) expressing appreciation and thanks to the Legislative Auditor's Office for its splendid cooperation and excellent service rendered to the House during this session was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 775 was adopted.

A resolution (H.R. No. 776) expressing appreciation and thanks to the Pineapple Growers Association of Hawaii for supplying pineapple juice to the House of Representatives, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and

Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 776 was adopted.

A resolution (H.R. No. 777) extending appreciation and thanks to the Central Services Division, Department of Accounting and General Services for its splendid cooperation and excellent service rendered to the House of Representatives, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 777 was adopted.

A resolution (H.R. No. 778) extending sincere gratitude and thanks to the Honolulu Council of Churches, the Honpa Hongwanji Mission and the Catholic Diocese was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 778 was adopted.

A resolution (H.R. No. 779) expressing appreciation and thanks to the Capitol Security Force for excellent service to this House throughout the Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 779 was adopted.

A resolution (H.R. No. 780) extending appreciation and thanks to the Legislative Reference Bureau for its splendid cooperation and excellent service rendered to the House of Representatives, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 780 was adopted.

A resolution (H.R. No. 781) extending appreciation and thanks to the Honolulu Advertiser for its splendid coverage of the activities of the Eleventh Legislature, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 781 was adopted.

A resolution (H.R. No. 782) extending appreciation and thanks to the radio stations for their fine coverage of legislative activities throughout the session was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 782 was adopted.

A resolution (H.R. No. 783) extending appreciation and thanks to KHET Public Television (Channel 11) for its extensive coverage of the activities of the Eleventh Legislature, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 783 was adopted.

A resolution (H.R. No. 784) extending appreciation and thanks to KITV (Channel 4) for its extensive coverage of the activities of the Eleventh Legislature, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 784 was adopted.

A resolution (H.R. No. 785) extending appreciation and thanks to the Honolulu Star-Bulletin for its extensive coverage of the activities of the Eleventh Legislature, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 785 was adopted.

A resolution (H.R. No. 786) extending appreciation and thanks to KHON-Television (Channel 2) for its extensive coverage of the activities of the Eleventh Legislature, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 786 was adopted.

A resolution (H.R. No. 787) extending appreciation and thanks to KGMB-Television (Channel 9) for its extensive coverage of the activities of the Eleventh Legislature, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 787 was adopted.

A resolution (H.R. No. 788) extending appreciation and thanks to the Associated Press (AP) for its extensive and splendid coverage of the activities of the Eleventh Legislature, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 788 was adopted.

A resolution (H.R. No. 789) extending appreciation and thanks to the United Press International (UPI) for its extensive and splendid coverage of the activities of the Eleventh Legislature, Regular Session of 1981 was jointly offered by Representatives Yamada, Kamali'i, Kihano, Rohlfing and Stanley.

On motion by Representative Yamada, seconded by Representative Kamali'i and carried, H.R. No. 789 was adopted.

At 3:54 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 3:55 o'clock a.m.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 722 to 742) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 722) returning House Bill 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", which passed Third Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 723) returning House Bill No. 767, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED COMPENSATION PLANS FOR PUBLIC EMPLOYEES", which passed Third Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 724) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1, HD 1, was adopted by the Senate; and House Bill No. 1, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 725) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2, HD 1, was adopted by the Senate; and House Bill No. 2, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 726) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 50, HD 1, was adopted by the Senate; and House Bill No. 50, HD 1, SD 2, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 727) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 241, HD 1, was adopted by the Senate; and House Bill No. 241, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 728) informing the House that the report of the

Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 344, HD 1, was adopted by the Senate; and House Bill No. 344, HD 1, SD 2, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 729) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 769, HD 2, was adopted by the Senate; and House Bill No. 769, HD 2, SD 2, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 730) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 919, was adopted by the Senate; and House Bill No. 919, SD 1, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 731) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1048, HD 2, was adopted by the Senate; and House Bill No. 1048, HD 2, SD 2, CD 1, passed Final Reading in the Senate on April 30, 1981, by not less than two-thirds vote of all the members to which the Senate is entitled, was placed on file.

A communication from the Senate (Sen. Com. No. 732) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1167, HD 1, was adopted by the Senate; and House Bill No. 1167, HD 1, SD 2, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 733) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1239, HD

1, was adopted by the Senate; and House Bill No. 1239, HD 1, SD 1, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 734) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1470, HD 2, was adopted by the Senate; and House Bill No. 1470, HD 2, SD 2, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 735) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1680, HD 1, was adopted by the Senate; and House Bill No. 1680, HD 1, SD 2, CD 1, passed Final Reading in the Senate on April 30, 1981, by not less than two-thirds vote of all the members to which the Senate is entitled, was placed on file.

A communication from the Senate (Sen. Com. No. 736) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1716, HD 2, was adopted by the Senate; and House Bill No. 1716, HD 2, SD 2, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 737) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1724, HD 2, was adopted by the Senate; and House Bill No. 1724, HD 2, SD 2, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 738) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1879, was adopted by the Senate; and House Bill No. 1879, SD 1, CD

1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 739) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 163, SD 1, was adopted by the Senate; and Senate Bill No. 163, SD 1, HD 1, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 740) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 454, HD 1, CD 1, was adopted by the Senate; and Senate Bill No. 454, HD 1, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 741) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1507, SD 2, was adopted by the Senate; and Senate Bill No. 1507, SD 2, HD 2, CD 1, passed Final Reading in the Senate on April 30, 1981, was placed on file.

A communication from the Senate (Sen. Com. No. 742) advising the House that the Senate has, on April 30, 1981, completed its business and is ready to adjourn sine die, was placed on file.

At this time, the Chair stated:

"At this time, the Chair would like to share some observations with all of you by way of extending my deepest appreciation and mahalo to all members of this House for the patience, support and cooperation which has prevailed during this legislative session. Faced with difficult and complex issues, you have responded to each other and to the people of this State with compassion and understanding. Tough decisions were made easier by your willingness to work together. I am especially grateful for the support given to the chairmen of our standing committees and to the leadership of our caucuses.

Above all, I am deeply grateful for the sense of sharing, caring and of growing together which you have

nurtured during this session. We are a House unified in the most important sense for we are bound in a common spirit of friendship and mutual respect.

We have developed some very clear positions and directions which require our continued attention during this interim period before our next legislative session. For the next few months, we will work together with the people of our communities for solutions to problems which affect the lives of all of us who call Hawaii our home.

Personally, I am humbled by the courtesy that you have extended to me through your conduct throughout the session. Your dedication, hard work and sensitivity to the issues and needs of the people of

our State reflect your commitment to the public interest and I say unequivocally that I am very proud to share your company in this House. To all of you, my personal aloha.

God bless you."

ADJOURNMENT

Representative Stanley moved that the House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, adjourn Sine Die, seconded by Representative Rohlfling.

At 3:59 o'clock a.m., the Speaker rapped his gavel and declared the House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, adjourned Sine Die.

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

Gov. Msg. No. 75 transmitting copies of a report prepared by the Department of Taxation in response to S.R. No. 50, relating to sections of the Internal Revenue Code governing soil and water conservation expenditures and expenditures for fertilizer and land clearing and requesting a report to the Legislature.

Gov. Msg. No. 76 transmitting copies of the "Preliminary Report of Findings and Recommendations" developed by the Inter-Agency Task Force for State Permit Simplification, in response to House Resolution No. 76 and Senate Resolution No. 93.

Gov. Msg. No. 77 transmitting copies of the LANDSAT Project, State of Hawaii - Final Report of the Ad Hoc Committee on Remote Sensing, which report summarizes the Committee's study and its recommendations for future work with this technology.

Gov. Msg. No. 78 informing the House that on April 22, 1981, he signed the following bills into law:

House Bill No. 206 as Act 26, entitled: "RELATING TO THE HAWAII PENAL CODE";

House Bill No. 207 as Act 27, entitled: "RELATING TO DISPOSITION OF DEFENDANTS";

House Bill No. 956 as Act 28, entitled: "RELATING TO ELDERLY ABUSE AND NEGLECT".

Gov. Msg. No. 79 informing the House that on April 29, 1981, he signed the following bills into law:

Senate Bill No. 28 as Act 29, entitled: "RELATING TO ABSENTEE VOTING";

Senate Bill No. 73 as Act 30, entitled: "RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC";

Senate Bill No. 123 as Act 31, entitled: "RELATING TO PROMOTING DANGEROUS OR HARMFUL DRUGS";

Senate Bill No. 273 as Act 32, entitled: "RELATING TO SCHOOL ABSENCES AND REPORTING";

Senate Bill No. 440 as Act 33, entitled: "RELATING TO PESTICIDES";

Senate Bill No. 587 as Act 34, entitled: "RELATING TO THE BOARD OF HEARING AID DEALERS AND FITTERS";

Senate Bill No. 591 as Act 35, entitled: "RELATING TO THE BOARD OF EXAMINERS IN OPTOMETRY";

Senate Bill No. 599 as Act 36, entitled: "RELATING TO OPTOMETRISTS";

Senate Bill No. 656 as Act 37, entitled: "RELATING TO REPORTS BY AGENCIES RECEIVING SPECIAL MONEYS";

Senate Bill No. 659 as Act 38, entitled: "RELATING TO THE LICENSING OF ITINERANT VENDORS OF MEDICINES";

Senate Bill No. 1111 as Act 39, entitled: "RELATING TO CHAPTER 46, HAWAII REVISED STATUTES".

Gov. Msg. No. 80 informing the House that on May 15, 1981, he signed House Bill No. 1232 as Act 40, entitled: "RELATING TO LITTER CONTROL".

Gov. Msg. No. 81 informing the House that on May 21, 1981, he signed House Bill No. 538 as Act 41, entitled: "AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO SECURE LONG-TERM MORTGAGE REFINANCING FOR THE POHAI NANI GOOD SAMARITAN KAUHALE HEALTH CARE FACILITY".

Gov. Msg. No. 82 informing the House that on May 26, 1981, he signed the following bills into law:

Senate Bill No. 258 as Act 42, entitled: "RELATING TO RELOCATION OF PUBLIC UTILITIES";

Senate Bill No. 330 as Act 43, entitled: "RELATING TO POLICE DEPARTMENTS";

Senate Bill No. 332 as Act 44, entitled: "RELATING TO HIGHWAY SAFETY";

Senate Bill No. 466 as Act 45, entitled: "RELATING TO PAYMENTS INTO THE STATE TREASURY";

Senate Bill No. 523 as Act 46, entitled: "RELATING TO THE HAWAII INSURANCE LAW";

Senate Bill No. 530 as Act 47,
entitled: "RELATING TO BEAUTY
CULTURE";

Senate Bill No. 532 as Act 48,
entitled: "RELATING TO TRUST
COMPANIES";

Senate Bill No. 562 as Act 49,
entitled: "RELATING TO
GOVERNMENT MOTOR VEHICLES";

Senate Bill No. 572 as Act 50,
entitled: "RELATING TO STATE
VEHICLE REGISTRATION FEE AND
WEIGHT TAX";

Senate Bill No. 592 as Act 51,
entitled: "RELATING TO THE
BOARD OF CERTIFICATION OF
PRACTICING PSYCHOLOGISTS";

Senate Bill No. 931 as Act 52,
entitled: "RELATING TO POST
SECONDARY EDUCATION";

Senate Bill No. 1359 as Act 53,
entitled: "RELATING TO
INSURANCE";

Senate Bill No. 1505 as Act 54,
entitled: "RELATING TO
CHARITABLE ORGANIZATIONS";

Senate Bill No. 1622 as Act 55,
entitled: "RELATING TO THE
STATE HIGHER EDUCATION
LOAN FUND";

Senate Bill No. 1628 as Act 56,
entitled: "RELATING TO MOTOR
VEHICLE ACCIDENT REPARATIONS";

Senate Bill No. 1642 as Act 57,
entitled: "RELATING TO NURSING";

Senate Bill No. 1720 as Act 58,
entitled: "RELATING TO THE
UNIVERSITY OF HAWAII";

Senate Bill No. 1769 as Act 59,
entitled: "RELATING TO CHILD
ABUSE REPORTS";

Senate Bill No. 1936 as Act 60,
entitled: "RELATING TO THE
IMPORTATION, PURCHASE AND
SALE OF INTOXICATING LIQUOR";

Senate Bill No. 1985 as Act 61,
entitled: "RELATING TO THE
STATEWIDE TRAFFIC CODE";

Senate Bill No. 2068 as Act 62,
entitled: "RELATING TO BAIL";

House Bill No. 1866 as Act 63,
entitled: "RELATING TO THE
JUDICIARY".

Gov. Msg. No. 83 informing the House
that on May 28, 1981, he signed the
following bills into law:

Senate Bill No. 163 as Act 64,
entitled: "RELATING TO INDEXING
THE HAWAII REVISED STATUTES";

Senate Bill No. 526 as Act 65,
entitled: "RELATING TO MASSAGE";

Senate Bill No. 567 as Act 66,
entitled: "RELATING TO NO FAULT
INSURANCE";

Senate Bill No. 568 as Act 67,
entitled: "RELATING TO DRIVING
UNDER THE INFLUENCE OF ALCOHOL";

Senate Bill No. 856 as Act 68,
entitled: "RELATING TO THEFT";

Senate Bill No. 1163 as Act 69,
entitled: "RELATING TO CHAPTER
706, HAWAII REVISED STATUTES";

House Bill No. 694 as Act 70,
entitled: "RELATING TO PETTY CASH
FUNDS";

House Bill No. 738 as Act 71,
entitled: "RELATING TO THE DEPART-
MENT OF HEALTH";

House Bill No. 753 as Act 72,
entitled: "RELATING TO IRRIGATION
SYSTEMS RATES AND CHARGES";

House Bill No. 762 as Act 73,
entitled: "RELATING TO GAME
BIRDS";

House Bill No. 763 as Act 74,
entitled: "RELATING TO NATURAL
AREA RESERVES SYSTEM";

House Bill No. 779 as Act 75,
entitled: "RELATING TO DEPARTMENT
OF REGULATORY AGENCIES";

House Bill No. 792 as Act 76,
entitled: "RELATING TO HOUSING";

House Bill No. 793 as Act 77,
entitled: "RELATING TO INTAKE
SERVICE CENTERS";

House Bill No. 805 as Act 78,
entitled: "RELATING TO THE TRANSFER
OF ALL FUNCTIONS, POWERS AND
DUTIES INVOLVING THE TAXATION
OF REAL PROPERTY TO THE COUNTIES";

House Bill No. 1060 as Act 79,
entitled: "RELATING TO URBAN
RENEWAL";

House Bill No. 1469 as Act 80,
entitled: "RELATING TO THE STATE-

WIDE FISH AGGREGATING SYSTEM".

Gov. Msg. No. 84 informing the House that on May 30, 1981, he signed the following bills into law:

Senate Bill No. 67 as Act 81, entitled: "RELATING TO TIME SHARING SALES";

Senate Bill No. 164 as Act 82, entitled: "RELATING TO STATUTORY REVISION";

Senate Bill No. 271 as Act 83, entitled: "RELATING TO HOTELS";

Senate Bill No. 399 as Act 84, entitled: "RELATING TO HEALTH CARE FACILITIES IDENTIFICATION AND REGULATIONS";

Senate Bill No. 508 as Act 85, entitled: "RELATING TO HAWAII REVISED STATUTES, TITLE 12, CONSERVATION AND RESOURCES".

Gov. Msg. No. 85 informing the House that on June 2, 1981, he signed the following bills into law:

Senate Bill No. 598 as Act 86, entitled: "RELATING TO DISPENSING OPTICIANS";

Senate Bill No. 636 as Act 87, entitled: "RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT";

Senate Bill No. 816 as Act 88, entitled: "RELATING TO HORIZONTAL PROPERTY REGIME";

House Bill No. 14 as Act 89, entitled: "RELATING TO INSURANCE CONTRACTS";

House Bill No. 73 as Act 90, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT";

House Bill No. 328 as Act 91, entitled: "RELATING TO TRADE REGULATIONS";

House Bill No. 585 as Act 92, entitled: "RELATING TO CORPORATIONS ACTING AS GUARDIANS";

House Bill No. 733 as Act 93, entitled: "RELATING TO EMERGENCY MEDICAL SERVICES";

House Bill No. 741 as Act 94, entitled: "RELATING TO DISCRIMINATORY EMPLOYMENT PRACTICES";

House Bill No. 772 as Act 95, entitled: "RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)";

House Bill No. 1022 as Act 96, entitled: "RELATING TO MOTOR AND OTHER VEHICLES";

House Bill No. 1025 as Act 97, entitled: "RELATING TO BAIL";

House Bill No. 1530 as Act 98, entitled: "RELATING TO AGRICULTURAL PRODUCT PROMOTION AND MARKET DEVELOPMENT".

Gov. Msg. No. 86 informing the House that on June 8, 1981, he signed the following bills into law:

Senate Bill No. 600 as Act 99, entitled: "RELATING TO PRACTICING PSYCHOLOGISTS";

Senate Bill No. 1053 as Act 100, entitled: "RELATING TO ELECTIONS";

Senate Bill No. 1114 as Act 101, entitled: "RELATING TO CHAPTER 80, HAWAII REVISED STATUTES";

Senate Bill No. 1145 as Act 102, entitled: "RELATING TO CHAPTER 11, HAWAII REVISED STATUTES";

Senate Bill No. 1150 as Act 103, entitled: "RELATING TO CHAPTER 237, HAWAII REVISED STATUTES";

Senate Bill No. 1713 as Act 104, entitled: "RELATING TO INSURANCE";

House Bill No. 32 as Act 105, entitled: "RELATING TO THE JOB-SHARING PILOT PROJECT IN THE DEPARTMENT OF EDUCATION";

House Bill No. 212 as Act 106, entitled: "RELATING TO PORNOGRAPHY";

House Bill No. 338 as Act 107, entitled: "RELATING TO VOTER REGISTRATION";

House Bill No. 526 as Act 108, entitled: "RELATING TO INTOXICATING LIQUOR";

House Bill No. 564 as Act 109, entitled: "RELATING TO REFUND OF VEHICULAR WEIGHT TAX FOR STOLEN VEHICLES";

House Bill No. 567 as Act 110, entitled: "RELATING TO PROSTITUTION";

House Bill No. 641 as Act 111, entitled: "RELATING TO HOUSING";

House Bill No. 728 as Act 112,
entitled: "RELATING TO THE
HAWAIIAN HOMES COMMISSION
ACT, 1920, AS AMENDED";

House Bill No. 739 as Act 113,
entitled: "RELATING TO VITAL
STATISTICS";

House Bill No. 743 as Act 114,
entitled: "RELATING TO WORKERS'
COMPENSATION";

House Bill No. 748 as Act 115,
entitled: "RELATING TO TEMPORARY
DISABILITY INSURANCE";

House Bill No. 760 as Act 116,
entitled: "RELATING TO PUBLIC
LANDS";

House Bill No. 770 as Act 117,
entitled: "RELATING TO
AGRICULTURAL PARKS";

House Bill No. 774 as Act 118,
entitled: "RELATING TO ADVERSE
PEER REVIEW COMMITTEE REPORTS";

House Bill No. 785 as Act 119,
entitled: "RELATING TO PUBLIC
ASSISTANCE".

Gov. Msg. No. 87 transmitting his
statement of objections to Senate
Bill No. 535 which he has returned
to the Senate without his approval
and which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 8, 1981

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 535

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 17 of Article III
of the Constitution of the State of
Hawaii, I am returning herewith
Senate Bill No. 535, entitled, "A BILL
FOR AN ACT RELATING TO PUBLIC
ASSISTANCE. "

The purpose of Senate Bill No. 535
is to clarify Section 346-17, Hawaii
Revised Statutes, to require parents,
whether married to each other or not,
who are living together with their
children, be liable for the support
of such children. However, Senate
Bill No. 535 is identical to House
Bill No. 785 and approval of both
bills would constitute approval of
duplicate measures. Since it is my

intention to approve and sign House
Bill No. 785, I am returning Senate
Bill No. 535 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article
III of the Constitution of the State of
Hawaii, the Governor is required to
give notice, by a proclamation, of his
disapproval of any bill presented to
him less than ten days before adjourn-
ment sine die or presented to him after
adjournment sine die of the legislature;
and

WHEREAS, Senate Bill No. 535,
entitled "A Bill for an Act Relating to
Public Assistance," passed by the
legislature, was presented to the
Governor within the foregoing period;
and

WHEREAS, Senate Bill No. 535 is
identical to House Bill No. 785; and

WHEREAS, my signing of House Bill
No. 785 into law will render Senate
Bill No. 535 unnecessary;

NOW, THEREFORE, I, GEORGE R.
ARIYOSHI, Governor of the State of
Hawaii, do hereby issue this proclama-
tion pursuant to the provisions of Section
16 of Article III of the Constitution of the
State of Hawaii, giving notice of my
intention to return Senate Bill No. 535
with my objections thereon to the legis-
lature of Hawaii as provided for by said
Section 16 of Article III of the Constitution
of the State of Hawaii.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 8th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 88 returning House
Bill No. 467 without his approval,
together with his statement of objections
relating to the measure as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 8, 1981

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 467

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 467, entitled, "A Bill for an Act Relating to the Fish and Wildlife Advisory Committees."

The purpose of this bill is to amend Section 187-1.3, Hawaii Revised Statutes, to extend the term of office of those members, appointed to the Fish and Wildlife Advisory Committees, from two years to four years. Secondly, this bill expands the Committees' advisory role to that of making recommendations to all divisions within the Department of Land and Natural Resources, instead of solely to the Division of Fish and Game.

Although the purposes of this bill are not objectionable, this bill does address the same subject matter covered in Senate Bill No. 508, which was also enacted by the legislature during the 1981 legislative session.

In Senate Bill No. 508, Section 187-1.3, Hawaii Revised Statutes, is addressed more specifically and comprehensively, as the revisions were part of an overall review and revision of Title 12 laws of the Hawaii Revised Statutes, proposed by the Department of Land and Natural Resources. Further, the language of House Bill No. 467 varies from Senate Bill No. 508; consequently, for ease in administration, the language contained in Senate Bill No. 508 is preferred.

For the foregoing reasons, I am returning House Bill No. 467 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bills presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 467 entitled, "A Bill for an Act Relating to the Fish and Wildlife Advisory Committees," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 467 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 467 with my objections to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol, Honolulu,
State of Hawaii, this
8th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 89 returning House Bill No. 432 without his approval, with his statement of objections relating to the measure as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 8, 1981

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 432

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 432, entitled, "A Bill for an Act Relating to Public Lands."

The purpose of this bill is to amend Section 171-64, Hawaii Revised Statutes, by adding the word "sex" to the list of prohibitions against discrimination by any person or activity where public land is involved.

Although the purpose of this bill is not objectionable, this bill does address the same subject matter covered in House Bill No. 760, which was also enacted by the 1981 legislative session.

In House Bill No. 760, Section 171-64, Hawaii Revised Statutes, is addressed more

comprehensively as it is part of an overall review and revision of Chapter 171, Hawaii Revised Statutes, proposed by the Department of Land and Natural Resources.

For the foregoing reason, I am returning House Bill No. 432 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

" P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 432 entitled, "A Bill for an Act Relating to Public Lands," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 432 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 432 with my objections to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,
Honolulu, State of Hawaii,
this 8th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 90 informing the House that on June 10, 1981, he signed the following bills into law:

House Bill No. 125 as Act 120,
entitled: "RELATING TO MANUFACTURING ENTERPRISES";

House Bill No. 126 as Act 121,
entitled: "RELATING TO PROCESSING ENTERPRISES";

House Bill No. 127 as Act 122,
entitled: "RELATING TO INDUSTRIAL ENTERPRISES";

House Bill No. 200 as Act 123,
entitled: "RELATING TO PUBLIC HEALTH AND MORALS";

House Bill No. 204 as Act 124,
entitled: "RELATING TO THE PENAL CODE";

House Bill No. 1103 as Act 125,
entitled: "RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT";

House Bill No. 1107 as Act 126,
entitled: "RELATING TO HOUSING";

House Bill No. 1108 as Act 127,
entitled: "RELATING TO LEAHI HOSPITAL";

House Bill No. 1124 as Act 128,
entitled: "RELATING TO THE TRANSFER OF THE HAWAII CRIMINAL JUSTICE DATA CENTER FROM THE JUDICIARY TO THE DEPARTMENT OF THE ATTORNEY GENERAL";

House Bill No. 1158 as Act 129,
entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII";

House Bill No. 1233 as Act 130,
entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS ADMINISTRATOR";

House Bill No. 1267 as Act 131,
entitled: "RELATING TO THE USE PUBLIC BUILDINGS BY BLIND OR VISUALLY HANDICAPPED PERSONS";

House Bill No. 1334 as Act 132,
entitled: "RELATING TO REVENUE BONDS OF THE STATE".

Gov. Msg. No. 91 returning House Bill No. 1122 without his approval, together with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 10, 1981

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 1122

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith

without my approval House Bill No. 1122, entitled, "A Bill for an Act Relating to Reports by Agencies Receiving Special Moneys."

House Bill No. 1122 extends the quarterly accounting report requirement of Hawaii Revised Statutes, Section 40-81 specifically to the Office of Hawaiian Affairs and the Hawaii Housing Authority.

However, the Legislature has also passed Senate Bill No. 656 which is substantially the same as House Bill No. 1122. Since I have already signed Senate Bill No. 656 into law, House Bill No. 1122 is not necessary and approval thereof would serve no useful purpose.

For the foregoing reason, I am returning House Bill No. 1122 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1122, entitled, "A Bill for an Act Relating to Reports by Agencies Receiving Special Moneys", passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1122 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1122 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,
Honolulu, State of Hawaii,
this 10th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 92 transmitting his statement of objections to Senate Bill No. 113 which he has returned to the Senate without his approval, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 10, 1981

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 113

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith without my approval Senate Bill No. 113, entitled, "A Bill for an Act Relating to the Custody and Treatment of Prisoners."

The purpose of this bill is to amend Chapter 706, H.R.S., by adding a new section which would do two separate things. Subsection (1) would eliminate a criminal court's jurisdiction after sentencing, except for habeas corpus matters, appeals, and correcting illegal sentences. Subsection (2) would allow the Director of Social Services and Housing complete discretion as to programs for and treatment of convicted prison inmates and would specifically allow those prisoners with mandatory minimum sentences to be eligible for furlough programs before the expiration of their minimum terms.

I have no objection to subsection (2), which would not in any event affect the present state of the law, for present sentencing laws do not limit the programmatic discretion of the Department of Social Services and Housing.

Subsection (1), on the other hand, would have considerable impact on present post-conviction law, and I believe that the proposed changes make the bill objectionable for both policy and constitutional reasons.

S.B. No. 113 would eliminate much of the substance of Rules 35 and 40, Hawaii Rules of Penal Procedure, pertaining to

corrections and reduction of sentence and post-conviction remedies. These rules were promulgated by the Supreme Court to streamline and simplify post-conviction proceedings. I note that none of the committee reports on this bill discusses the possible consequences to the Rules of Penal Procedure, and the bill appears to have a much greater policy effect on post-conviction court procedures than the Legislature contemplated. Passage of this bill into law would cause much confusion in this area.

In addition, it appears likely that S.B. No. 113 would conflict with the due process provisions of both the United States and Hawaii Constitutions in that it unduly restricts the ways in which a criminal defendant can test his conviction and denies access to the courts regarding conditions of confinement. For example, Rule 40 allows a prisoner to raise questions about the conditions of his confinement in terms of constitutional provisions guaranteeing protection against cruel and unusual punishment. This issue is not properly raised on appeal or by habeas corpus, nor would it flow from an illegal sentence. S.B. No. 113 would deny a court jurisdiction over such a question, but recent U.S. Supreme Court decisions make it clear that an inmate has a right under the Due Process clause to raise such claims. Similarly, Rule 40 allows a prisoner to challenge the judgment of conviction on grounds of newly discovered evidence. S.B. No. 113 would eliminate this possibility, and I believe that such restriction would also be a denial of due process.

It is also probable that the bill could raise separation of powers issues, for Article VI, Section 7 of the Hawaii Constitution gives the Supreme Court the power to promulgate rules relating to procedure and appeals.

For the foregoing reasons, I am returning S.B. No. 113 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the

State of Hawaii the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 113, entitled, "A Bill for an Act Relating to the Custody and Treatment of Prisoners", passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 113 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 113 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii, this
10th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 93 transmitting his statement of objections to Senate Bill No. 979 which he has returned to the Senate without his approval, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 10, 1981

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 979

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith without my approval Senate Bill No. 979, entitled, "A Bill for an Act Relating to the Hawaii Youth Correctional Facilities."

The purpose of this bill is to amend Chapter 352, H.R.S., to provide for the termination of the Director of Social Services and Housing's authority to supervise committed minors once they

have been waived to and convicted by an adult criminal court for any subsequent offense. Although I have no objection to the purpose or form of Senate Bill No. 979, it appears that the bill is virtually identical to House Bill No. 1126, which I propose to sign.

Because of this duplication, I am returning Senate Bill No. 979 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 979, entitled, "A Bill For an Act Relating to the Hawaii Youth Correctional Facilities", passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 979 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 979 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,
Honolulu, State of Hawaii,
this 10th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 94 returning House Bill No. 630 without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 10, 1981

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 630

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 630, entitled, "A Bill for an Act Relating to the Judiciary."

The purpose of this bill is to add one additional judge to the Third Circuit Court of the State of Hawaii beginning on July 1, 1981. Presently, there are two judges serving this circuit.

This Administration notes that Senate Bill No. 1096, entitled, "A Bill for an Act Relating to Circuit Courts", would accomplish the identical purpose and effectuate the identical statutory language changes as would House Bill No. 630. In my opinion, the approval of both bills would be redundant and unnecessary.

For the foregoing reason, I am returning House Bill No. 630 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 630, entitled, "A Bill for an Act Relating to the Judiciary", passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 630 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 630 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,
Honolulu, State of Hawaii,
this 10th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 95 informing the House that on June 10, 1981, he signed the following bills into law:

Senate Bill No. 1096 as Act 133,
entitled: "RELATING TO CIRCUIT
COURTS";

House Bill No. 1126 as Act 134,
entitled: "RELATING TO THE HAWAII
YOUTH CORRECTIONAL FACILITIES";

House Bill No. 721 as Act 135,
entitled: "RELATING TO PACIFIC
WAR MEMORIALS";

and on June 12, 1981, he signed the following bills into law:

House Bill No. 781 as Act 136,
entitled: "RELATING TO THE DEPART-
MENT OF REGULATORY AGENCIES";

House Bill No. 795 as Act 137,
entitled: "RELATING TO THE
FILING OF RETURNS FOR
TAXATION PURPOSES";

House Bill No. 796 as Act 138,
entitled: "RELATING TO TAXATION";

House Bill No. 800 as Act 139,
entitled: "RELATING TO GENERAL
EXCISE TAX";

House Bill No. 823 as Act 140,
entitled: "RELATING TO THE
DEPARTMENT OF TRANSPORTATION";

House Bill No. 920 as Act 141,
entitled: "RELATING TO THE PUBLIC
EMPLOYEES HEALTH FUND";

House Bill No. 930 as Act 142,
entitled: "RELATING TO PROFES-
SIONAL CORPORATIONS";

House Bill No. 1007 as Act 143,
entitled: "RELATING TO CLAIMS

FOR LEGISLATIVE RELIEF";

House Bill No. 1101 as Act 144,
entitled: "RELATING TO THE PUBLIC
EMPLOYEES HEALTH FUND";

House Bill No. 1770 as Act 145,
entitled: "RELATING TO TRAVEL
AGENCIES RECOVERY FUND LAW";

House Bill No. 1867 as Act 146,
entitled: "RELATING TO THE SALE
OF COPIES OF MAPS AND PLANS OF
LANDS";

House Bill No. 1873 as Act 147,
entitled: "RELATING TO THE
COMPENSATION OF PUBLIC OFFICERS
AND EMPLOYEES".

Gov. Msg. No. 96 informing the House that on June 16, 1981, he signed the following bills into law:

Senate Bill No. 2099 as Act 148,
entitled: "RELATING TO THE OFFICE
OF HAWAIIAN AFFAIRS";

House Bill No. 20 as Act 149,
entitled: "RELATING TO THE HAWAII
BANK ACT OF 1931";

House Bill No. 33 as Act 150,
entitled: "RELATING TO PUBLIC
LIBRARIES";

House Bill No. 128 as Act 151,
entitled: "RELATING TO UTILITIES";

House Bill No. 461 as Act 152,
entitled: "RELATING TO INTOXICATING
LIQUORS";

House Bill No. 495 as Act 153,
entitled: "RELATING TO INDUSTRIAL
LOAN COMPANIES";

House Bill No. 514 as Act 154,
entitled: "RELATING TO THE
LANDLORD-TENANT CODE";

House Bill No. 579 as Act 155,
entitled: "RELATING TO HORIZONTAL
PROPERTY REGIMES";

House Bill No. 597 as Act 156,
entitled: "RELATING TO OFFENSES
AGAINST PUBLIC ADMINISTRATION";

House Bill No. 695 as Act 157,
entitled: "RELATING TO PAYMENTS
FOR SICK LEAVE";

House Bill No. 729 as Act 158,
entitled: "RELATING TO THE
HAWAIIAN HOMES COMMISSION ACT,
1920, AS AMENDED";

House Bill No. 808 as Act 159,

entitled: "RELATING TO TAXES ON LIQUID FUEL SOLD OR USED FOR OPERATING MOTOR VEHICLES";

House Bill No. 822 as Act 160, entitled: "RELATING TO NOTICE OF BREACH OR DEFAULT OF AGREEMENTS FOR USE OF STATE LAND";

House Bill No. 867 as Act 161, entitled: "RELATING TO INVESTIGATORS IN THE DEPARTMENT OF THE ATTORNEY GENERAL";

House Bill No. 1514 as Act 162, entitled: "PROVIDING THAT EYE ENUCLEATION MAY BE PERFORMED BY TRAINED TECHNICIANS".

Gov. Msg. No. 97 informing the House that on June 17, 1981, he signed the following bills into law:

Senate Bill No. 1136 as Act 163, entitled: "RELATING TO CHAPTER 353, HAWAII REVISED STATUTES";

Senate Bill No. 1298 as Act 164, entitled: "RELATING TO TRAVEL EXPENSES";

Senate Bill No. 1476 as Act 165, entitled: "RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES";

House Bill No. 205 as Act 166, entitled: "RELATING TO DISPOSITION OF CONVICTED DEFENDANTS";

House Bill No. 368 as Act 167, entitled: "RELATING TO PUBLIC UTILITIES";

House Bill No. 693 as Act 168, entitled: "RELATING TO DEPOSIT OF STATE FUNDS IN TREASURY";

House Bill No. 706 as Act 169, entitled: "RELATING TO AUDIT AND ACCOUNTING";

House Bill No. 926 as Act 170, entitled: "RELATING TO THE CONFIDENTIALITY OF TAX RETURNS AND INFORMATION IN TAX RETURNS";

House Bill No. 1310 as Act 171, entitled: "RELATING TO CUSTODIAL INTERFERENCE";

House Bill No. 1358 as Act 172, entitled: "RELATING TO EMPLOYMENT SECURITY";

House Bill No. 1359 as Act 173, entitled: "RELATING TO EMPLOYMENT SECURITY";

House Bill No. 1406 as Act 174, entitled: "RELATING TO CAPITAL COST RECOVERY";

House Bill No. 1471 as Act 175, entitled: "RELATING TO BANKS";

House Bill No. 1522 as Act 176, entitled: "RELATING TO RECOVERY OF LEASED OR RENTED PERSONAL PROPERTY";

House Bill No. 1523 as Act 177, entitled: "RELATING TO THE PENAL CODE";

House Bill No. 1604 as Act 178, entitled: "RELATING TO STATE CAMPAIGN SPENDING LAW";

House Bill No. 1876 as Act 179, entitled: "RELATING TO GASOHOL".

Gov. Msg. No. 98 informing the House that on June 18, 1981, he signed the following bills into law:

Senate Bill No. 1449 as Act 180, entitled: "RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT";

House Bill No. 174 as Act 181, entitled: "RELATING TO TRADE REGULATION AND PRACTICE";

House Bill No. 247 as Act 182, entitled: "RELATING TO INTOXICATING LIQUOR";

House Bill No. 393 as Act 183, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

House Bill No. 477 as Act 184, entitled: "RELATING TO INSURANCE OF HOUSEHOLD FURNITURE AND FURNISHINGS IN DWELLING HOUSES";

House Bill No. 506 as Act 185, entitled: "RELATING TO COMMUNICABLE DISEASES";

House Bill No. 549 as Act 186, entitled: "RELATING TO ARREST BY POLICE OFFICERS WITHOUT WARRANT";

House Bill No. 635 as Act 187, entitled: "RELATING TO PUBLIC PURCHASES AND CONTRACTS";

House Bill No. 722 as Act 188, entitled: "RELATING TO THE MAJOR DISASTER FUND";

House Bill No. 749 as Act 189, entitled: "RELATING TO EMPLOYMENT SECURITY";

House Bill No. 820 as Act 190,
entitled: "RELATING TO
PEDESTRIAN CONTROL SIGNALS";

House Bill No. 824 as Act 191,
entitled: "RELATING TO THE
UNIVERSITY OF HAWAII";

House Bill No. 923 as Act 192,
entitled: "RELATING TO THE
HAWAIIAN HOMES COMMISSION
ACT, 1920, AS AMENDED";

House Bill No. 924 as Act 193,
entitled: "RELATING TO VISION
AND HEARING SCREENING";

House Bill No. 1176 as Act 194,
entitled: "RELATING TO PUBLIC
RECORDS";

House Bill No. 1255 as Act 195,
entitled: "RELATING TO ELECTION
REGISTRATION FOR THE OFFICE
OF HAWAIIAN AFFAIRS";

House Bill No. 1357 as Act 196,
entitled: "RELATING TO EMPLOY-
MENT SECURITY";

House Bill No. 1583 as Act 197,
entitled: "RELATING TO THE
DEPARTMENT OF PLANNING AND
ECONOMIC DEVELOPMENT";

House Bill No. 1584 as Act 198,
entitled: "RELATING TO THE
NATIONAL GUARD";

House Bill No. 1590 as Act 199,
entitled: "RELATING TO THE
ENVIRONMENT";

House Bill No. 1679 as Act 200,
entitled: "RELATING TO SCHOOL
HEALTH SERVICES";

House Bill No. 1724 as Act 201,
entitled: "RELATING TO THE
EMPLOYEE'S RETIREMENT SYSTEM
OF THE STATE OF HAWAII";

House Bill No. 1881 as Act 202,
entitled: "RELATING TO
MARRIAGE";

House Bill No. 726 as Act 203,
entitled: "RELATING TO THE
HAWAIIAN HOMES COMMISSION
ACT, 1920, AS AMENDED";

House Bill No. 1511 as Act 204,
entitled: "RELATING TO
INTEREST AND USURY";

House Bill No. 1871 as Act 205,
entitled: "RELATING TO THE
COMPENSATION OF PUBLIC
OFFICERS AND EMPLOYEES".

Gov. Msg. No. 99 informing the House
that on June 19, 1981, he signed the
following bills into law:

Senate Bill No. 126 as Act 206,
entitled: "RELATING TO MINORS";

Senate Bill No. 335 as Act 207,
entitled: "RELATING TO GRANTS,
SUBSIDIES, AND PURCHASES OF
SERVICE";

Senate Bill No. 547 as Act 208,
entitled: "RELATING TO TAXATION";

Senate Bill No. 788 as Act 209,
entitled: "RELATING TO TAXATION";

Senate Bill No. 878 as Act 210,
entitled: "RELATING TO COMMERCIAL
FISHING VESSELS";

Senate Bill No. 1050 as Act 211,
entitled: "RELATING TO CONDO-
MINIUM CONVERSIONS";

Senate Bill No. 1286 as Act 212,
entitled: "RELATING TO THE
EMPLOYEES' RETIREMENT SYSTEM
OF THE STATE OF HAWAII";

House Bill No. 300 as Act 213,
entitled: "RELATING TO OFFENSES
AGAINST THE PERSON";

House Bill No. 339 as Act 214,
entitled: "RELATING TO BALLOTS";

House Bill No. 582 as Act 215,
entitled: "RELATING TO COURT
MONITORING OF GUARDIANSHIPS";

House Bill No. 588 as Act 216,
entitled: "RELATING TO NOTICES IN
GUARDIANSHIP PROCEEDINGS";

House Bill No. 1339 as Act 217,
entitled: "RELATING TO ELECTION
CAMPAIGN CONTRIBUTIONS AND
EXPENDITURES";

House Bill No. 1341 as Act 218,
entitled: "RELATING TO ELECTION
CAMPAIGN CONTRIBUTIONS AND
EXPENDITURES";

House Bill No. 1360 as Act 219,
entitled: "RELATING TO EMPLOYMENT
SECURITY";

House Bill No. 1765 as Act 220,
entitled: "RELATING TO THE
KAMEHAMEHA DAY CELEBRATION
COMMISSION";

House Bill No. 1769 as Act 221,
entitled: "RELATING TO CEMETERIES
AND MORTUARIES".

Gov. Msg. No. 100 informing the House that he has been advised by the Attorney General of the State of Hawaii that H.B. No. 1, relating to the State Budget, which was passed by the Legislature during the 1981 legislative session may be constitutionally defective, and that other appropriation measures passed during the 1981 legislative session may also be constitutionally suspect. Because of the questionable validity of such bills, he is returning the appropriation measures without his approval by separate transmittal and in addition to the bills he is returning without his approval, there are two appropriation measures which have already been signed into law, and these bills are H.B. No. 538 (Act 41) and S.B. No. 163 (Act 64).

Gov. Msg. No. 101 transmitting copies of a report prepared by the Board of Regents of the University of Hawaii in response to Senate Resolution No. 179, requesting the Board of Regents of the University of Hawaii to report on its progress in implementing the recommendations of the Legislative Auditor's Management Audit of the University of Hawaii, Report No. 81-9.

Gov. Msg. No. 102 returning House Bill No. 1, without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 19, 1981

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 1

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 1, entitled, "A Bill for an Act Relating to the State Budget".

The purpose of this bill is to appropriate funds for the fiscal biennium 1981-1983 for the operating expenditures of the various agencies in the executive branch, for other government programs, for capital investment projects and for grants-in-aid to private organizations.

The Attorney General of the

State of Hawaii has rendered an opinion indicating that House Bill No. 1 may be constitutionally defective in that the Senate and House of Representatives passed different versions of the bill and there is no way of discerning which version of the budget bill was intended to be enacted by the Legislature. Although I have no objections to House Bill No. 1 as a whole, I believe that the constitutional defect should be corrected to avoid any judicial contest of said House Bill No. 1.

For the foregoing reasons, I am returning said House Bill No. 1 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1, entitled, "A Bill for an Act Relating to the State Budget", passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, the Attorney General of the State of Hawaii has rendered an opinion indicating that House Bill No. 1 may be constitutionally defective; and

WHEREAS, I believe that the constitutional defect should be corrected to avoid any judicial contest of said House Bill No. 1;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1 with my objections thereon to the Legislature, as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii,
this 19th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 103 returning House Bills Nos. 2, 50, 66, 114, 344, 767, 769, 919, 1048, 1167, 1680, 1716, 1875, and 1879, without his approval, and with his statement of objections relating to the measures, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 19, 1981

STATEMENT OF OBJECTIONS

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith the following bills:

House Bill No. 2 - "RELATING TO THE JUDICIARY BUDGET";

House Bill No. 50 - "RELATING TO THE HAWAII HOUSING AUTHORITY";

House Bill No. 66 - "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS";

House Bill No. 114 - "RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 344 - "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 767 - "RELATING TO DEFERRED COMPENSATION PLANS FOR PUBLIC EMPLOYEES";

House Bill No. 769 - "RELATING TO THE 1984 SILVER JUBILEE OF HAWAII'S STATEHOOD AND MAKING AN APPROPRIATION THEREFOR";

House Bill No. 919 - "MAKING AN APPROPRIATION FOR PAYMENT OF A JUDGMENT BETWEEN THE STATE OF HAWAII AND SYLVIA GAMINO";

House Bill No. 1048 - "RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC";

House Bill No. 1167 - "RELATING TO THE ESTABLISHMENT OF THE VENTURE CAPITAL INFORMATION CENTER";

House Bill No. 1680 - "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES";

House Bill No. 1716 - "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 1875 - "MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF THE ALOHA TOWER COMPLEX";

House Bill No. 1879 - "RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS".

The Attorney General of the State of Hawaii has rendered an opinion that House Bill No. 1, relating to the State Budget, may be constitutionally defective and may not have passed the Legislature. If House Bill No. 1 did not pass the Legislature, it could not have been transmitted to the Governor. Without the transmittal of House Bill No. 1 to the Governor, the passage of the foregoing appropriation bills is constitutionally questionable under Article VII, Section 9 of the State Constitution.

I have no objection to the bills listed above, but I believe that the constitutional defect should be corrected to avoid any judicial contest of said bills. Moreover, the possible existence of duplicate bills, upon correction of the constitutional defect, would only lead to confusion.

For the foregoing reasons, I am returning said bills without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, the following bills passed

by the Legislature, were presented to the Governor within the aforementioned period:

House Bill No. 2 - "RELATING TO THE JUDICIARY BUDGET";

House Bill No. 50 - "RELATING TO THE HAWAII HOUSING AUTHORITY";

House Bill No. 66 - "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS";

House Bill No. 114 - "RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 344 - "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 767 - "RELATING TO DEFERRED COMPENSATION PLANS FOR PUBLIC EMPLOYEES";

House Bill No. 769 - "RELATING TO THE 1984 SILVER JUBILEE OF HAWAII'S STATEHOOD AND MAKING AN APPROPRIATION THEREFOR";

House Bill No. 919 - "MAKING AN APPROPRIATION FOR PAYMENT OF A JUDGMENT BETWEEN THE STATE OF HAWAII AND SYLVIA GAMINO";

House Bill No. 1048 - "RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC";

House Bill No. 1167 - "RELATING TO THE ESTABLISHMENT OF THE VENTURE CAPITAL INFORMATION CENTER";

House Bill No. 1680 - "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES";

House Bill No. 1716 - "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 1875 - "MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF THE ALOHA TOWER COMPLEX";

House Bill No. 1879 - "RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS".

WHEREAS, the Attorney General of the State of Hawaii has rendered an opinion

indicating that the validity of the above listed bills is questionable because House Bill No. 1, relating to the State Budget, may be constitutionally defective; and

WHEREAS, I believe that the constitutional defect should be corrected to avoid any judicial contest of the above listed bills;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return the above listed bills with my objections to the Legislature, as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii,
this 19th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 104 transmitting his statement of objections to Senate Bills Nos. 454, 1472 and 1507 which he has returned to the Senate without his approval, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 19, 1981

STATEMENT OF OBJECTIONS

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith the following bills:

Senate Bill No. 454 - "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING";

Senate Bill No. 1472 - "RELATING TO MEDICAL CLAIM CONCILIATION PANELS";

Senate Bill No. 1507 - "RELATING TO COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES".

The Attorney General of the State of Hawaii has rendered an opinion that House Bill No. 1, relating to the State Budget, may be constitutionally defective and may not have passed the Legislature.

If House Bill No. 1 did not pass the Legislature, it could not have been transmitted to the Governor. Without the transmittal of House Bill No. 1 to the Governor, the passage of the foregoing appropriation bills is constitutionally questionable under Article VII, Section 9 of the State Constitution.

I have no objection to the bills listed above, but I believe that the constitutional defect should be corrected to avoid any judicial contest of said bills. Moreover, the possible existence of duplicate bills, upon correction of the constitutional defect, would only lead to confusion.

For the foregoing reasons, I am returning said bills without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, the following bills passed by the Legislature, were presented to the Governor within the aforementioned period:

Senate Bill No. 454 - "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING";

Senate Bill No. 1472 - "RELATING TO MEDICAL CLAIM CONCILIATION PANELS";

Senate Bill No. 1507 - "RELATING TO COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL AND RELATED CASES".

WHEREAS, the Attorney General of the State of Hawaii has rendered an opinion indicating that the validity of the above listed bills is questionable because House Bill No. 1, relating to the State Budget, may be constitutionally defective; and

WHEREAS, I believe that the constitutional defect should be corrected to avoid any judicial contest of the above listed bills;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return the above listed bills with my objections to the Legislature, as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii,
this 19th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 105 returning House Bill No. 1239, without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 19, 1981

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 1239

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 1239, entitled, 'A Bill for an Act Relating to State Bonds.'

The purpose of this bill is to authorize the issuance of general obligation bonds to finance projects authorized in House Bill No. 1, relating to the State Budget, and House Bill No. 2, relating to the Judiciary Budget.

However, the amount of general obligation bonds authorized differs from the amount of appropriations authorized for capital projects. The Legislature now proposes to re-enact the provisions of House Bill No. 1239 to assure that the bond authorization will equal the amount of appropriations authorized for capital projects. The passage of the new bill authorizing the issuance of general obligation bonds will render House Bill No. 1239 unnecessary. Moreover, the existence of two separate bills authorizing the issuance

of general obligation bonds for the same projects would only lead to confusion.

For the foregoing reasons, I am returning House Bill No. 1239 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1239, entitled, 'A Bill for an Act Relating to State Bonds', passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1239 authorizes the issuance of general obligation bonds in an amount which differs from the amount of appropriations authorized for capital projects under House Bill No. 1, relating to the State Budget; and

WHEREAS, the Legislature proposes to re-enact the provisions of House Bill No. 1239 to assure that the bond authorization will equal the amount of appropriations authorized for capital projects; and

WHEREAS, the passage of a new bill authorizing the issuance of general obligation bonds will render House Bill No. 1239 unnecessary;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1239 with my objections thereon to the Legislature, as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii,
this 19th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 106 informing the House that on June 20, 1981, he signed the following bills into law:

House Bill No. 541 as Act 222,
entitled: "RELATING TO MINORS";

House Bill No. 788 as Act 223,
entitled: "RELATING TO VETERANS
RIGHTS AND BENEFITS";

House Bill No. 1931 as Act 224,
entitled: "RELATING TO THE WORK
RELEASE PLAN".

Gov. Msg. No. 107 transmitting his statement of objections to Senate Bill No. 253 which he has returned to the Senate without his approval, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 20, 1981

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 253

Honorable Members
Eleventh State Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith Senate Bill No. 253, entitled, 'A Bill for an Act Relating to Regulation of Employment Agencies.'

The purpose of this bill is to strengthen the regulation and professionalism of commercial employment agencies.

While this Administration is not opposed to the concept of the regulation of employment agencies, this bill would create undue hardship for a certain segment of the employment agency industry. Item 6 of Section 373-11.5 provides in effect that an employment agency shall not be entitled to a service fee until the applicant is employed by an employer. This provision would have an adverse impact upon those agencies which specialize in executive recruitment because they rely upon the retainers paid to them by employers to cover their expenses while they conduct their searches.

For the foregoing reason, I am returning Senate Bill No. 253 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill 253, entitled, 'A Bill for an Act Relating to Regulation of Employment Agencies,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill 253 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 253 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii,
this 20th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 108 returning House Bill No. 1880, without his approval, and with his statement of objections relating to the measure as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 20, 1981

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 1880

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith,

without my approval, House Bill No. 1880, entitled, 'A Bill for an Act Relating to Public Schools.'

One of the purposes of this bill is to provide that special fees and charges collected from public school students for co-curricular activities be deposited into insured checking and savings accounts by schools and expended by them under such rules as the Department of Education may prescribe.

However, all funds of a state agency, whose records are maintained by employees of the State, should be deposited into a fund of the State Treasury. This would allow the close monitoring of the funds by providing a more uniform coding of transactions and by assuring the proper classification of accounting entries. This would also allow the assessment for central services expenses and departmental administrative expenses, such as costs for the maintenance of the funds and for the periodic audits by the Department of Accounting and General Services.

For the foregoing reasons, I am returning House Bill No. 1880 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1880, entitled, 'A Bill for an Act Relating to Public Schools,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1880 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1880 with my objections thereon to the

Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii,
this 20th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 109 returning House Bill No. 754, without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 20, 1981

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 754

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 754, entitled, 'A Bill for an Act Relating to Commercial Fish Catch Reports.'

The purpose of this bill is to amend Section 189-3, Hawaii Revised Statutes, to protect trade secrets and other confidential information of individual licensed commercial fishers who are required to submit information to the Department of Land and Natural Resources through the 'monthly fish catch reports.' Secondly, this bill is in consonance with existing Federal law on the matter and will facilitate entry into cooperative arrangements for the gathering of commercial fish catch information between the State of Hawaii and the Federal government.

Although the purposes of this bill are not objectionable, this bill does address the same subject matter covered in Senate Bill No. 508, which was also enacted by the Legislature during the 1981 session.

In Senate Bill No. 508, Section 189-3, Hawaii Revised Statutes, is addressed more specifically and comprehensively, as the revisions were part of an overall review and revision of Title 12 laws of the Hawaii Revised Statutes, proposed by the

Department of Land and Natural Resources.

For the foregoing reason, I am returning House Bill No. 754 without my approval as provided by Section 16 of Article III of the Constitution of the State of Hawaii.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 754, entitled, 'A Bill for an Act Relating to Commercial Fish Catch Reports,' passed by the Legislature was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 754 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 754 with my objections to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,
Honolulu, Hawaii,
this 20th day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 110 informing the House that on June 22, 1981, he signed the following bills into law:

House Bill No. 511 as Act 225,
entitled: "RELATING TO PUBLIC
LANDS";

Senate Bill No. 1471 as Act 226,
entitled: "RELATING TO CONSERVA-

TION AND RESOURCES
ENFORCEMENT PROGRAM";

Senate Bill No. 2102 as Act 227,
entitled: "RELATING TO THE
EMPLOYMENT OF ATTORNEYS";

Senate Bill No. 1681 as Act 228,
entitled: "RELATING TO TORT
ACTIONS".

Gov. Msg. No. 111 returning
House Bill No. 241, without his
approval, and with his statement of
objections relating to the measure,
as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 22, 1981

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 241

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III
of the Constitution of the State of
Hawaii, I am returning herewith,
without my approval, House Bill
No. 241, entitled, 'A Bill for an Act
Relating to the Excise Tax Credit.'

The primary purpose of this bill
is to amend the existing excise tax
credit schedule by (1) increasing
the amounts of credits, (2) making
the credits available to all taxpayers,
and (3) deleting the requirement of
physical presence in the State for
more than nine months of the year.

When the provision relating to
the excise tax credit was originally
enacted, it was intended to provide
relief to low income taxpayers to
offset the increase in the excise
tax rate from 3-1/2% to 4%. Moreover,
to qualify for the credit, the measure
required that the taxpayer or dependent
reside in the State for more than nine
months of the year. To further ease
the tax burden on senior citizens,
the Legislature in 1976 authorized
double credits to taxpayers who
attained age 65 or older.

House Bill No. 241 proposes to
return to taxpayers of this State the
sum total of revenues collected from
the general excise tax levied on food and
drugs. In so doing, the proposal
would almost quadruple the amount of
credits to be granted to taxpayers with
a disproportionate amount of taxes
being returned to those in the lower

income group, and to the elderly. For
example, using \$20,635 as the middle income
in Hawaii for a family of four, the basic
data on costs per person per year is as
follows: \$1,365 for food; \$25 for drugs
(under 65 years old); \$90 for drugs
(over 65 years old). Based on the above
data, a husband in a maintenance position
and wife in a clerical position (both under
65 years) with 2 dependent children,
with an adjusted gross income of
\$20,000, would receive a tax credit of
\$88, as compared to general excise taxes
paid in the sum of \$222, resulting in an
excess of taxes paid over credits
received equal to \$134. On the other
hand, an unmarried individual (over
65 years) with the same adjusted gross
income of \$20,000 from pensions would
be entitled to receive \$378 in tax credits,
as compared to excise taxes paid in the
sum of \$58, resulting in an excess of
credits over excise taxes paid equal to
\$320. The foregoing examples clearly
illustrate that this bill does not provide
for the equitable refund of the general
excise tax on food and drugs.

Furthermore, the elimination of the
nine-month residency requirement will
result in the allowance of the credit to
those who reside out of the State and
who, as a result, have not paid any tax
on food and drugs.

While I deeply sympathize with the
objectives of the proposal to provide
our citizens with some form of tax relief,
it is my opinion that House Bill No. 241
will not serve the best interests of the
people of this State. In view thereof,
it is my desire that the Legislature
in some future session reconsider this
proposal to provide tax relief to our
citizens but ensuring a fair and equitable
distribution of revenues derived from the
excise tax on food and drugs.

For the foregoing reasons, I am
returning House Bill No. 241 without
my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16, Article
III of the Constitution of the State of
Hawaii, the Governor is required to
give notice, by a proclamation, of his
plan to return with his objections any
bill presented to him less than ten days
before adjournment sine die or presented
to him after adjournment sine die of the

Legislature; and

WHEREAS, House Bill No. 241, entitled, 'A Bill for an Act Relating to the Excise Tax Credit', passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 241 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 241 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii,
this 22nd day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 112 transmitting his statement of objections to Senate Bill No. 1324, which he has returned to the Senate without his approval, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 22, 1981

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1324

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith Senate Bill No. 1324, entitled, 'A Bill for an Act Relating to Government Organization and Administration.'

The purpose of this bill is to have counties establish procedures for notifying applicants of the completeness or incompleteness of applications submitted for amendment to a county general plan, approval of a development plan, change in zoning, special management area permit, and other permits for land development projects within the county. Such notification

of completeness or incompleteness must be issued within thirty days after the filing of an application. In the event the notice indicates incompleteness, the notice must also indicate the specific requirements necessary to complete the application.

Although the concept of establishing a time limit for advising applicants as to completeness of any application is desirable, the proposed legislation lacks specific definitions, shifts the burden for preparation of an adequately prepared application from the applicant to the county, imposes unrealistic time constraints, results in significant financial and administrative problems for the county, and possibly poses an unnecessary intrusion upon traditional principles of home rule. Further, the scope of the bill is unclear. While it purports to add a new section related to zoning, neither the bill's purpose clause nor the language of the provision seems limited to matters directly involving zoning. In addition to the non-zoning implementation tools, such as general and development plan amendments, for example, the bill refers to 'other permits for land development projects' which could be interpreted as including building permits and subdivision approvals.

Despite differing methods of county implementation, the bill fails to take into account the reasonableness of the thirty-day compliance requirement. For example, the City and County of Honolulu is preparing new procedures for processing amendments to the General Plan and Development Plans. Such amendments will be filed at one time during a particular calendar year. In this regard, the thirty-day compliance requirement is unrealistic, since all amendments would be reviewed at one point in time, rather than spread out over a given calendar year. Moreover, the bill overlooks the complexity of the review process, as there are inputs by other agencies as they review the impact of the proposed amendment which lengthen processing time.

For the foregoing reasons, I am returning Senate Bill No. 1324 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1324, entitled, 'A Bill for an Act Relating to Government Organization and Administration', passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1324 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1324 with my objections thereon to the Legislature, as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii,
this 22nd day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 113 returning House Bill No. 1428, without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 22, 1981

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 1428

Honorable Members
Eleventh Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1428, entitled, 'A Bill for an Act Relating to Pre-Judgment Interest.'

The purpose of this bill is to provide for pre-judgment interest at the rate of ten percent (10%) from the date of accrual of the cause of action to the date of satisfaction of the judgment.

I have no objection to that part of the bill which raises the rate of interest on any judgment from 8 to 10 percent a year. However, the bill appears to mandate that pre-judgment interest be allowed in all cases, inasmuch as the bill states that pre-judgment interest 'shall' be allowed.

The mandatory nature of this bill would seem to require pre-judgment interest on special damages, such as medical bills, even in those cases when the claimant has not incurred such a loss. An example would be where no fault benefits were paid for the medical bills. Further, such interest is to be computed, not from the date the claimant first became responsible for it, but from the date of the accrual of the cause of action. This fact is clear evidence that the effect of the bill is punitive rather than compensatory in nature. Thus, it would appear to conflict with the Hawaii Supreme Court decision in Lucas v. Liggett & Meyers Tobacco Company, 51 Haw. 346 (1969) which holds that interest is compensatory in nature, not punitive.

In addition, to provide for mandatory pre-judgment interest, irrespective of its compensatory character, is abrasive to our system of justice which allows legitimate disputes to be litigated without punitive measures being taken against the non-prevailing party. An example of such a policy is that in the absence of the statute or contract provision allowing it, attorney's fees will not be allowed to the prevailing party under the so-called American rule. The purposes behind such a rule are salutary and well established, including protecting the parties from undue coercion and opening our courts to those claimants who otherwise may not be able to bear the risk of such fees being awarded against them.

In addition, it appears that the language of the bill is vague and ambiguous. The bill provides that 'pre-judgment interest shall be allowed on only that portion of the judgment which is attributable to damages which are actually incurred, . . .' It is unclear whether the bill provides that interest be paid on general damages, such as pain and suffering and mental anguish, or only special damages, such as medical bills, repair bills, etc. And it is further unclear when the damages are to be considered 'actually incurred'?

The bill is also inconsistent with Section 636-16, H.R.S., to the extent that it requires prejudgment interest to be 'computed from the date the cause of action accrued.' Section 636-16, H.R.S., permits the court to determine the date from which prejudgment interest should be computed.

Finally, the amendment is inconsistent with Section 636-16, H.R.S., in that it permits prejudgment interest 'on only that portion of the judgment which is attributable to damages which are actually incurred.' Whatever is meant by 'damages which are actually incurred,' it is clear that it is something less than the entire judgment. However, Section 636-16, H.R.S., permits prejudgment interest on the entire judgment.

I believe that the present statute being amended by this bill, as interpreted by the Hawaii Supreme Court in Lucas v. Liggett & Meyers Tobacco Company, supra, permits compensatory pre-judgment interest and is adequate in its present form. At any rate, it appears preferable to House Bill No. 1428 because of its punitive effect and vague and ambiguous language.

For the foregoing reasons, I am returning House Bill No. 1428 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1428, entitled, 'A Bill for an Act Relating to Pre-Judgment Interest', passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1428 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R.

ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1428 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii, this
22nd day of June, 1981.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 114 informing the House that on June 23, 1981, he signed the following bills into law:

Senate Bill No. 55 as Act 229,
entitled: "RELATING TO HOUSING";

Senate Bill No. 815 as Act 230,
entitled: "RELATING TO THE
RENTER'S INCOME TAX CREDIT";

Senate Bill No. 557 as Act 231,
entitled: "RELATING TO TAXATION";

Senate Bill No. 1662 as Act 232,
entitled: "RELATING TO RELIGIOUS
HOLY DAYS";

House Bill No. 35 as Act 233,
entitled: "RELATING TO TAX
INCENTIVES FOR SOLAR ENERGY
DEVICES";

House Bill No. 440 as Act 234,
entitled: "RELATING TO CHILD CARE
TAX CREDIT";

House Bill No. 1292 as Act 235,
entitled: "RELATING TO THE
LANDLORD-TENANT CODE";

House Bill No. 1874 as Act 236,
entitled: "RELATING TO THE ALOHA
TOWER DEVELOPMENT CORPORATION".

Gov. Msg. No. 115 informing the House that on June 24, 1981, he signed the following bills into law:

Senate Bill No. 1699 as Act 237,
entitled: "RELATING TO VIOLENCE
AND VANDALISM IN THE PUBLIC
SCHOOLS";

House Bill No. 934 as Act 238,
entitled: "RELATING TO THE NURSING
HOME ADMINISTRATORS ACT";

House Bill No. 293 as Act 239,
entitled: "RELATING TO FIREARMS".

Gov. Msg. No. 116 informing the House that on July 1, 1981, he signed House Bill No. 1437 as Act 240, entitled: "RELATING TO TAXATION."

Gov. Msg. No. 117 informing the House that on July 2, 1981, he signed the following bills into law:

Senate Bill No. 354 as Act 241,

entitled: "RELATING TO THE SALE OF PROPHYLACTICS IN VENDING MACHINES";

Senate Bill No. 601 as Act 242, entitled: "RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS";

House Bill No. 1470 as Act 243, entitled: "RELATING TO TRANSPORTATION."

DEPARTMENTAL COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Dept. Com. No. 9 from Lester E. Cingcade, Administrative Director of the Courts, transmitting copies of the Judiciary's Annual Report, which report provides an account of the activities and the concerns of the courts throughout the State for the year 1979-80.

Dept. Com. No. 10 from Durward Long, Chancellor, University of Hawaii at Manoa, acknowledging receipt of a copy of S.R. No. 708, commending and congratulating the University of Hawaii Hawaiian Dance Ensemble for its dedication to the study and performance of traditional Hawaiian poetry (Mele) and dance (Hula).

MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Misc. Com. No. 34 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of a copy of House Concurrent Resolution No. 19.

Misc. Com. No. 35 from Richard R. Vuylsteke, Assitant to the President, East-West Center, acknowledging receipt of a certified copy of House Resolution No. 595.

Misc. Com. No. 36 from Patrick H. De Leon, Executive Assistant to Senator Daniel K. Inouye, acknowledging receipt of a copy of House Concurrent Resolution No. 19, supporting additional funding for intermediate care facilities.

Misc. Com. No. 37 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolution Nos. 403, 360, 361, 647 and 452.

Misc. Com. No. 38 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution No. 403, concerning the income limits on the Section 502 program loans of the Farmers Home Administration.

Misc. Com. No. 39 from Robert J. Thompson, Executive Assistant to the Vice President for Congressional Relations, acknowledging receipt of a copy of House Resolution No. 30.

Misc. Com. No. 40 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution relating to the funding for the Sea Grant College Program and the OTEC program.

Misc. Com. No. 41 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution No. 714, informing the Hawaii Congressional delegation of the State House of Representatives' enthusiasm for the forthcoming White House Conference on Aging.

Misc. Com. No. 42 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of a copy of House Resolution No. 714.

Misc. Com. No. 43 from the

Honorable Peter W. Rodino, Jr., Chairman, Judiciary Committee, acknowledging receipt of a copy of House Resolution No. 361, requesting Congress to pass legislation providing financial assistance to states such as Hawaii which receive large numbers of foreign immigrants.

Misc. Com. No. 44 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Concurrent Resolutions Nos. 208 and 550.

Misc. Com. No. 45 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Resolution No. 208, expressing the support of the House of Representatives of the State of Hawaii for legislation waiving non-immigrant visas for short-term business or pleasure visitors to the United States from countries with a refusal rate of less than 2.5 percent.

Misc. Com. No. 46 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Resolution No. 329, recommending modification of our current Social Security Act to provide for benefits to homemakers.

Misc. Com. No. 47 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Resolution No. 550.

Misc. Com. No. 48 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution No. 574, urging the Hawaii Congressional delegation to continue its efforts to ensure a viable level of funding for our State during the next several years.

Misc. Com. No. 49 from Maurice J. Katz, Director, Office of Solar Power Applications, Conservation and Renewable Energy, responding to House Resolution No. 360, concerning Ocean Thermal Energy Conversion (OTEC).

Misc. Com. No. 50 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolutions Nos. 329 and 574.

Misc. Com. No. 51 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging

receipt of House Resolution No. 613.

Misc. Com. No. 52 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Resolution No. 613, informing the Hawaii Congressional delegation of our State's enthusiasm for the Comprehensive Employment and Training Act (CETA) Public Service Employment Program.

Misc. Com. No. 53 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of a copy of House Resolution No. 361, requesting federal assistance to help Hawaii meet the social, economic, and employment hardships faced by the ever increasing number of foreign immigrants.

Misc. Com. No. 54 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of House Resolution No. 452, requesting the Hawaii Congressional delegation to expedite the approval of the Hawaii State Department of Labor and Industrial Relations' Employment Security Automation Proposal (ESAP).

Misc. Com. No. 55 from John McGill, Executive Director, Hemophilia Foundation of Hawaii, acknowledging receipt of a copy of House Resolution No. 517.

Misc. Com. No. 56 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of copies of House Resolutions Nos. 616 and 646.

Misc. Com. No. 57 from the Honorable Thomas P. O'Neill, Jr., Speaker, United States House of Representatives, acknowledging receipt of a copy of House Resolution No. 613.

Misc. Com. No. 58 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution No. 538, requesting the National Oceanic and Atmospheric Administration to continue funding for the Kahului Weather Service Office.

Misc. Com. No. 59 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution No. 582, requesting the reinstatement of funding for the National Coastal Zone Management Program.

Misc. Com. No. 60 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Concurrent Resolu-

tion No. 242 which recognizes the outstanding work of the State Historic Preservation Office.

Misc. Com. No. 61 from the Honorable Bob Packwood, United States Senator, acknowledging receipt of House Resolution No. 582.

Misc. Com. No. 62 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Resolutions Nos. 400 and 598 and House Concurrent Resolution No. 225.

Misc. Com. No. 63 from Robert H. Hughes, President, Hawaiian Sugar Planters' Association, acknowledging receipt of copies of House Resolution No. 734 and House Concurrent Resolution No. 244.

Misc. Com. No. 64 from the Honorable Thomas P. O'Neill, Speaker, United States House of Representatives, acknowledging receipt of a copy of House Concurrent Resolution No. 158.

Misc. Com. No. 65 from the Honorable Thomas P. O'Neill, Speaker, United States House of Representatives, acknowledging receipt of copies of House Resolutions Nos. 646 and 616.

Misc. Com. No. 66 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolutions Nos. 400, 513, 644, 583 and 582.

Misc. Com. No. 67 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Concurrent Resolution No. 225.

Misc. Com. No. 68 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolutions Nos. 646, 616 and 538, and House Concurrent Resolution No. 242.

Misc. Com. No. 69 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution No. 513, informing the Hawaii Congressional delegation of our State Legislature's strong support for the Community Health Centers program.

Misc. Com. No. 70 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution No. 377.

Misc. Com. No. 71 from the Honorable Thomas P. O'Neill, Speaker, United States House of Representatives,

acknowledging receipt of House Resolution No. 582.

Misc. Com. No. 72 from the Honorable Thomas P. O'Neill, Speaker, United States House of Representatives, acknowledging receipt of House Resolution No. 377.

Misc. Com. No. 73 from the Honorable Thomas P. O'Neill, Speaker, United States House of Representatives, acknowledging receipt of House Resolution No. 583.

Misc. Com. No. 74 from the Honorable Thomas P. O'Neill, Speaker, United States House of Representatives, acknowledging receipt of House Resolution No. 644.

Misc. Com. No. 75 from the Honorable Thomas P. O'Neill, Speaker, United States House of Representatives, acknowledging receipt of House Resolution No. 513.

Misc. Com. No. 76 from Patrick H. De Leon, Executive Assistant to Senator Daniel K. Inouye, acknowledging receipt of a copy of House Resolution No. 662, regarding the necessity of federal certification of our State's milk testing laboratories.

Misc. Com. No. 77 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolution No. 662.

Misc. Com. No. 78 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of a copy of House Resolution No. 513.

Misc. Com. No. 79 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolution No. 659.

Misc. Com. No. 80 from Robert A. Alm, Deputy Administrative Assistant to Senator Daniel K. Inouye, acknowledging receipt of a copy House Resolution No. 747.

Misc. Com. No. 81 from Peter L. Trask, Senior Legislative Assistant to Senator Daniel K. Inouye, acknowledging receipt of a copy of House Resolution No. 659, requesting the Corps of Engineers to conduct a study on the feasibility of establishing a small boat refuge harbor near Laupahoehoe Point on the Big Island.

Misc. Com. No. 82 from Richard E. Hallgren, Director, National Weather

Service, acknowledging receipt of and responding to House Resolution No. 538, concerning the closing of the Weather Service Office (WSO) at Kahului, Maui, Hawaii.

Misc. Com. No. 83 from Thomas M. Cashman, M.D., Director of the Healthing Program, Straub Clinic & Hospital, Inc., acknowledging receipt of a copy of House Resolution No. 606.

Misc. Com. No. 84 from Raymond J. Donovan, U.S. Department of Labor, acknowledging receipt of and responding to House Resolution No. 452.

Misc. Com. No. 85 from the Honorable Peter W. Rodino, Jr., Chairman, Committee on the Judiciary, acknowledging receipt of House Resolution No. 208, requesting Congress to waive nonimmigrant visas for travelers from certain nations.

Misc. Com. No. 86 from Tamarii Pierre, Director of Administration, South Pacific Commission, acknowledging receipt of a copy of House Resolution No. 462.

Misc. Com. No. 87 from the Honorable James R. Jones, Chairman, Committee on the Budget, acknowledging receipt of a copy of House Resolution No. 582, requesting reinstatement of funding for the National Coastal Zone Management Program.

Misc. Com. No. 88 from Alfred J. Thiede, Colonel, Corps of Engineers, Commander and District Engineer, Department of the Army, acknowledging receipt of and responding to House Resolution No. 659 which requests the U.S. Army Corps of Engineers to conduct a study on the feasibility of establishing a small boat refuge harbor near Laupahoehoe Point on the Island of Hawaii.

Misc. Com. No. 89 from Joseph W. Haas, Deputy Chief for Natural Resource Projects, United States Department of Agriculture, Soil Conservation Service, acknowledging receipt of a copy of House Resolution No. 400.

Misc. Com. No. 90 from Brian Timothy Bennett, Executive Director, GSP Subcommittee, Office of the United States Trade Representative, acknowledging receipt of a copy of House Concurrent Resolution No. 3, urging Hawaii's Congressional delegation to oppose the Malawi petition to add macadamia nuts to the list of articles eligible for duty-free treatment under the U.S. Generalized

System of Preferences (GSP).

Misc. Com. No. 91 from Marvin S. Cohen, Chairman, Civil Aeronautics Board, acknowledging receipt of a copy of House Resolution No. 658.

Misc. Com. No. 92 from Maurice J. Katz, Director, Office of Solar Power Applications, Conservation and Renewable Energy, responding to the concern for funding for renewable alternate energy research and development projects.

Misc. Com. No. 93 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of and responding to House Resolution No. 613, requesting the extension and continued funding of the Comprehensive Employment and Training Act (CETA).

Misc. Com. No. 94 from Samuel R. Pierce, Jr., The Secretary of Housing and Urban Development, acknowledging receipt of copies of House Resolution No. 598 and House Concurrent Resolution No. 225, and enclosing a copy of response to Governor George R. Ariyoshi relating to the request for a housing assistance grant of \$10 million to implement the Rental Assistance Program.

Misc. Com. No. 95 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of and responding to House Concurrent Resolution No. 3, concerning the Malawi request for duty-free entry of shelled macadamia nuts into the United States under the Generalized System of Preference.

Misc. Com. No. 96 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of House Resolution No. 616, requesting Congress to exempt Hawaii's Prepaid Health Care Act from the preemption provision of the Employee Retirement Income Security Act of 1974.

Misc. Com. No. 97 from the Honorable

Spark Matsunaga, United States Senator, acknowledging receipt of House Concurrent Resolution No. 208, urging the United States Congress to waive non-immigrant visas for travelers from certain nations.

Misc. Com. No. 98 from the Honorable Daniel K. Inouye, United States Senator, enclosing a copy of letter from Secretary John Block of the Department of Agriculture, in response to the concerns expressed by House Resolution No. 403, concerning the income limits on the Section 502 program loans of the Farmers Home Administration.

Misc. Com. No. 99 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of and responding to House Resolutions Nos. 360, 583 and 644 dealing with ocean programs, reinstatement of funding for renewable alternative energy research and development projects, and rescission of the decision to suspend the establishment of further automobile fuel efficiency standards, respectively.

Misc. Com. No. 100 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of a copy of House Concurrent Resolution No. 225, requesting that the Department of Housing and Urban Development provide financial assistance to the State of Hawaii for the implementation of an innovative housing program.

Misc. Com. No. 101 from the Honorable Spark Matsunaga, United States Senator, responding to House Resolution No. 714, requesting Hawaii's delegation to the 1981 White House Conference on Aging to participate with resolve.

Misc. Com. No. 102 from the Honorable Spark Matsunaga, United States Senator, responding to House Resolution No. 550, expressing opposition to federal budget cuts that would harm Hawaii's working people.