

FORTY-THIRD DAY

Monday, March 25, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 10:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Juan Riingen of the Aldersgate United Methodist Church, after which the Roll was called showing all members present with the exception of Representatives Apo, Blair, Kamali'i, Tajiri and Yoshimura, who were excused.

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

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 365) returning House Bill No. 861, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", which passed Third Reading in the Senate on March 22, 1985, was placed on file.

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

Representative Okamura introduced 50 students from the islands of Hawaii, Maui and Oahu, who are participating in the Youth Legislature Program. They were accompanied by their advisors, Clayton Segawa and Jim Steivers (Oahu); Jim Holstein (Maui); Georgia Goeas (Kona); and Ellen Kusano of the Waiakea Settlement (Hilo). Representative Okamura then asked the following students to stand and be recognized: Sarah Wang, Youth Governor; Jordan Fox, Senate President; and Eric Tao, House Speaker.

Representative Lindsey introduced Mrs. Nobuko Hori and her children, Roanne and Roy, "friends from Kamuela who are here to observe our government in progress."

Representative Morgado introduced Mr. and Mrs. Sumida and their two children, Kelley and Scott.

Representative Morgado then introduced Linda Lau, an aide in Representative Levin's office, and her parents, Mr. and Mrs. Chung, and their children, Jonathan, Jennifer and Aaron.

Representative Medeiros introduced Ikaika, grandson of Representative Anderson, who was seated in the gallery.

Representative Metcalf introduced Mrs. Lindsey, wife of Representative Lindsey, and their two children, who were seated in the gallery.

Representative Kihano introduced Clem Keliikipi, "an old-time friend who was a long-time employee for United Airlines."

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 281 to 292 and 297 to 300) and concurrent resolutions (H.C.R. Nos. 96 to 103) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
281	Jointly to the Committees on Health and Public Employment and Government Operations
282	Committee on Judiciary, then to the Committee on Finance
283	Committee on Human Services, then to the Committee on Finance
284	Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
285	Committee on Human Services, then to the Committee on Finance
286	Committee on Transportation
287	Committee on Corrections and Rehabilitation, then to the Committee on Finance
288	Committee on Education, then to the Committee on Finance
289	Committee on Education, then to the Committee on Finance
290	Jointly to the Committees on Education and Public Employment and Government Operations, then to the Committee on Finance
291	Committee on Education, then to the Committee on Finance
292	Committee on Planning,

- Energy and Environmental Protection, then to the Committee on Finance
- 297 Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs; Planning, Energy and Environmental Protection; and Judiciary
- 298 Committee on Transportation, then to the Committee on Finance
- 299 Committee on Health, then to the Committee on Finance
- 300 Committee on Judiciary
- 301 Committee on Water, Land Use Development and Hawaiian Affairs

H.C.R. Nos.

- 96 Committee on Judiciary, then to the Committee on Finance
- 97 Committee on Human Services, then to the Committee on Finance
- 98 Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 99 Jointly to the Committees on Education and Public Employment and Government Operations, then to the Committee on Finance
- 100 Committee on Education
- 101 Committee on Planning, Energy and Environmental Protection
- 102 Committee on Transportation, then to the Committee on Finance
- 103 Committee on Water, Land Use Development and Hawaiian Affairs

STANDING COMMITTEE REPORTS

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 763) recommending that H.C.R. No. 63, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Tam and carried, the report of the Committee

was adopted and H.C.R. No. 63, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO PROCEED EXPEDITIOUSLY WITH ALL REQUIRED ACTIONS TO CONSUMMATE, IF FEASIBLE, A LAND EXCHANGE BETWEEN CAMPBELL ESTATE LANDS AT KAHUAU'ALE'A WITH THE ADJACENT STATE-OWNED LANDS FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT OF GEOTHERMAL RESOURCES ON THE EXCHANGED STATE LANDS", was referred to the Committee on Finance.

Representatives Say and Andrews, for the Committees on Water, Land Use Development and Hawaiian Affairs and Planning, Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 764) recommending that H.R. No. 186, as amended in HD 1, be adopted.

On motion by Representative Nakata, seconded by Representative Andrews and carried, the joint report of the Committees was adopted and H.R. No. 186, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING NATIONAL 'WILDLIFE WEEK' AND DESIGNATING MARCH 17 THROUGH 23, 1985 AS 'NATIONAL WILDLIFE WEEK' IN HAWAII, WITH THE THEME 'SOIL-WE CAN'T GROW WITHOUT IT'", was adopted.

Representatives Say and Andrews, for the Committees on Water, Land Use Development and Hawaiian Affairs and Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 765) recommending that H.C.R. No. 51, as amended in HD 1, be adopted.

On motion by Representative Nakata, seconded by Representative Andrews and carried, the joint report of the Committees was adopted and H.C.R. No. 51, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING NATIONAL 'WILDLIFE WEEK' AND DESIGNATING MARCH 17 THROUGH 23, 1985 AS 'NATIONAL WILDLIFE WEEK' IN HAWAII, WITH THE THEME 'SOIL-WE CAN'T GROW WITHOUT IT'", was adopted.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 766) recommending that H.R. No. 61, as amended in HD 1, be adopted.

On motion by Representative Shon, seconded by Representative Nakata and carried, the report of the Com-

mittee was adopted and H.R. No. 61, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXPAND ITS EFFORTS IN RESTORING AND PROTECTING THE STATE'S SEAWEED BEDS TO ENSURE AN ADEQUATE SUPPLY OF OGO AND LIMU MANAUEA FOR HAWAII'S RESIDENTS", was adopted.

Representatives Apo and Say, for the Committees on Ocean and Marine Resources and Water, Land Use Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 767) recommending that H.R. No. 62, as amended in HD 1, be adopted.

On motion by Representative Shon, seconded by Representative Say and carried, the joint report of the Committees was adopted and H.R. No. 62, HD 1, entitled: "HOUSE RESOLUTION URGING THE STATE TO ASSIST HAWAIIAN TUNA PACKERS TO CONTINUE OPERATIONS IN THIS STATE", was adopted.

Representatives Honda and Andrews, for the Committees on Agriculture and Planning, Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 768) recommending that H.R. No. 154, as amended in HD 1, be adopted.

On motion by Representative Honda, seconded by Representative Andrews and carried, the joint report of the Committees was adopted and H.R. No. 154, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII, THE STATE DEPARTMENT OF AGRICULTURE, AND HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO TAKE QUICKER ACTION TO COMPLETE THE REVIEW OF AND IMPROVE THE IRRADIATION TREATMENT OF PAPAYAS", was adopted.

Representatives Honda and Andrews, for the Committees on Agriculture and Planning, Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 769) recommending that H.C.R. No. 33, as amended in HD 1, be adopted.

On motion by Representative Honda, seconded by Representative Andrews and carried, the joint report of the Committees was adopted and H.C.R. No. 33, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII,

THE STATE DEPARTMENT OF AGRICULTURE, AND HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO TAKE QUICKER ACTION TO COMPLETE THE REVIEW OF AND APPROVE THE IRRADIATION TREATMENT OF PAPAYAS", was adopted.

Representative Menor, for the Committee on Correction and Rehabilitation, presented a report (Stand. Com. Rep. No. 770) recommending that H.R. No. 76, as amended in HD 1, be adopted.

On motion by Representative Menor, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.R. No. 76, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING, THE CORRECTIONS DIVISION ADMINISTRATOR, AND THE KULANI CORRECTIONAL FACILITY ADMINISTRATOR TO PRESENT A REVIEW OF THE RECENT MANAGEMENT PROBLEMS AT THE KULANI CORRECTIONAL FACILITY", was adopted.

Representative Menor, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 771) recommending that H.R. No. 77, as amended in HD 1, be adopted.

On motion by Representative Menor, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.R. No. 77, HD 1, entitled: "HOUSE RESOLUTION URGING THE CORRECTIONS DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO UTILIZE RETIRED EDUCATORS IN PRISON EDUCATION PROGRAMS", was adopted.

Representative Menor, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 772) recommending that H.R. No. 85 be adopted.

On motion by Representative Menor, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.R. No. 85, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE COMMUNITY SERVICE PROJECTS UNDERTAKEN BY THE INMATES AND STAFF OF THE STATE CORRECTIONAL FACILITIES", was adopted.

Representative Menor, for the

Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 773) recommending that H.R. No. 79 be adopted.

On motion by Representative Menor, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.R. No. 79, entitled: "HOUSE RESOLUTION EXPRESSING THE SUPPORT OF THE HOUSE OF REPRESENTATIVES FOR THE EFFORTS OF THE CORRECTIONAL INDUSTRIES ADVISORY COUNCIL", was adopted.

Representative Menor, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 774) recommending that H.R. No. 86, as amended in HD 1, be adopted.

On motion by Representative Menor, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.R. No. 86, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF IMPLEMENTING AN EXPANDED BASIC READING AND WRITING SKILLS PROGRAM FOR INCARCERATED CRIMINALS IN THE CORRECTIONAL FACILITIES THROUGHOUT THE STATE", was adopted.

Representatives Bunda and Yoshimura, for the Committees on Health and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 775) recommending that S.B. No. 72, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Bunda, seconded by Representative Kim and carried, the joint report of the Committees was adopted and S.B. No. 72, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE AND CONTROLLED SUBSTANCES", passed Second Reading and was placed on the calendar for Third Reading.

INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 308) honoring 25 years of the Association of Hawaiian Civic Clubs and commending all members of the Association was jointly offered by Representatives Leong, Anderson, Apo, Crozier, Kamali'i, Lindsey, Morgado, Tungpalan and Peters and was read by the Clerk.

On motion by Representative Leong, seconded by Representative Apo and carried, H.R. No. 308 was adopted.

Representative Leong then rose and stated:

"Mr. Speaker, for the past 25 years, the Association of Hawaiian Civic Clubs has dedicated their efforts and activities to meet the opportunities and challenge of modern Hawaii. Tomorrow, Hawaii will celebrate the birthday of Prince Jonah Kuhio Kalani'ana'ole, founder of the Hawaiian Civic Club.

"I am proud to have participated in the Hawaiian Civic Club movement 25 years ago. One of our colleagues in the House, Representative Anderson, served as President for a number of years.

"With us this morning is Gelna Keala, Second Vice President of the Association who will receive the certificate on behalf of the organization."

Representative Leong then presented Gelna Keala to the members of the House and audience.

A floral lei was presented to the honoree by Representative Anderson while Representative Lindsey presented her with a certified copy of the resolution.

At 11:00 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of allowing us to extend our personal aloha and congratulations to our honoree this morning."

Upon reconvening at 11:06 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Apo, Tajiri and Yoshimura.

By unanimous consent, the following resolutions (H.R. Nos. 305 to 307 and 309 to 318) and concurrent resolutions (H.C.R. Nos. 104 to 110) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 305) requesting a study on the feasibility of a land exchange between the State and Alexander and Baldwin, Inc., for the present twenty-four acre site of the Maui County fairgrounds in Kahului was jointly offered by Representatives Souki, Andrews, Honda, Lindsey, Pfeil and Say.

A resolution (H.R. No. 306) re-

questing a review of the Department of Education's procedures and guidelines for the consolidation of public schools and moratorium on the consolidation of public schools was offered by Representative Jones.

A resolution (H.R. No. 307) requesting a feasibility study regarding the building of clear-span bridges for Kalanianaʻole Highway over Wailupe Stream was jointly offered by Representatives Jones and Marumoto.

A resolution (H.R. No. 309) urging the Federal Environmental Protection Agency to include six pesticide contaminated Central Oahu wells on the national priorities list of eligible projects for cleanup moneys under the federal superfund and requesting Congress to explicitly provide that pesticide contaminated water wells are eligible for cleanup under the superfund was jointly offered by Representatives Menor, Kihano, Anderson, Apo, Cachola, Cavasso, Crozier, Grauly, Hagino, Hashimoto, Hemmings, Honda, Ikeda, Isbell, Jones, Leong, Liu, Marumoto, Medeiros, Metcalf, Nakata, Okamura, Onouye, Oshiro, Pfeil, Shito, Shon, Souki, Tajiri, Taniguchi, Tom and Yoshimura.

A resolution (H.R. No. 310) urging the Department of Transportation to implement measures to relieve peak hour traffic congestion on the H-1 and H-2 Interstate Highways for Central Oahu commuters was jointly offered by Representatives Menor, Kihano, Leong, Bunda, Apo, Cachola, Cavasso, Crozier, Grauly, Hagino, Hashimoto, Hemmings, Honda, Isbell, Jones, Marumoto, Medeiros, Metcalf, Nakata, Okamura, Oshiro, Pfeil, Shito, Shon, Souki, Tajiri, Taniguchi and Tom.

A resolution (H.R. No. 311) requesting the Department of Transportation to report on the feasibility of requesting withdrawal of the H-3 Interstate Highway and approval of transferring federal-aid interstate funds to needed substitute projects was jointly offered by Representatives Menor, Kihano, Leong, Oshiro, Apo, Bunda, Cachola, Grauly, Hagino, Hemmings, Honda, Isbell, Metcalf, Nakata, Okamura, Pfeil, Shito, Shon and Souki.

A resolution (H.R. No. 312) requesting the development of a proposal to establish a Department of Corrections was jointly offered by Representatives Menor, Apo, Bunda, Cachola, Cavasso, Crozier, Grauly, Hagino, Hashimoto, Hemmings, Honda,

Ikeda, Isbell, Jones, Kihano, Kim, Leong, Lindsey, Marumoto, Medeiros, Metcalf, Morgado, Nakata, Okamura, Onouye, Oshiro, Pfeil, Shito, Shon, Souki, Tajiri, Tam and Tom.

A resolution (H.R. No. 313) requesting a study of the feasibility of authorizing the use of medicaid funds for experimental medical procedures when necessary to save the lives of recipients and no other better treatment alternatives are available was jointly offered by Representatives Menor, Anderson, Apo, Bunda, Cachola, Cavasso, Crozier, Grauly, Hagino, Hemmings, Honda, Ikeda, Isbell, Jones, Kihano, Leong, Lindsey, Marumoto, Medeiros, Metcalf, Morgado, Nakata, Okamura, Onouye, Pfeil, Shito, Shon, Souki, Tajiri, Tam and Tom.

A resolution (H.R. No. 314) requesting the Board of Water Supply of the City and County of Honolulu to explain its proposal to develop a facilities project in Waiʻanae was jointly offered by Representatives Tungpalan, Anderson, Apo, Crozier, Hagino, Honda, Isbell, Metcalf, Nakata, Pfeil, Shon, Tajiri and Tam.

A resolution (H.R. No. 315) requesting a report on the underground injection control program was jointly offered by Representatives Metcalf, Andrews, Honda, Kawakami, Lardizabal, Levin, Lindsey, Souki, Tajiri and Takamine.

A resolution (H.R. No. 316) requesting that the United States Congress conduct further public hearings to investigate the possible existence of American prisoners of war in Southeast Asia, and to press for the release of the records and remains of those missing in action was jointly offered by Representatives Levin, Metcalf, Lindsey, Takamine and Tajiri.

A resolution (H.R. No. 317) requesting that the University of Hawaii study the High Technology Development Corporation's recommendations for development of a high technology park on the University of Hawaii at Hilo campus was jointly offered by Representatives Levin, Isbell, Lindsey, Metcalf, Tajiri and Takamine.

A resolution (H.R. No. 318) requesting the President of the University of Hawaii and Chancellor of the University of Hawaii at Hilo to conduct a study on the feasibility of establishing new programs for the Hilo campus was jointly offered by Representatives Levin, Isbell,

Lindsey, Metcalf, Tajiri and Takamine.

A concurrent resolution (H.C.R. No. 104) requesting a review of the Department of Education's procedures and guidelines for the consolidation of public schools and moratorium on the consolidation of public schools was offered by Representative Jones.

A concurrent resolution (H.C.R. No. 105) requesting a feasibility study regarding the building of clear-span bridges for Kalanianaʻole Highway over Waiupe Stream was jointly offered by Representatives Jones and Marumoto.

A concurrent resolution (H.C.R. No. 106) urging the Federal Environmental Protection Agency to include six pesticide contaminated Central Oahu wells on the national priorities list of eligible projects for cleanup moneys under the federal superfund and requesting Congress to explicitly provide that pesticide contaminated water wells are eligible for cleanup under the superfund was jointly offered by Representatives Menor, Kihano, Anderson, Apo, Cachola, Cavasso, Crozier, Gaulty, Hagino, Hashimoto, Hemmings, Honda, Ikeda, Isbell, Jones, Leong, Liu, Marumoto, Medeiros, Metcalf, Nakata, Okamura, Onouye, Oshiro, Pfeil, Shito, Shon, Souki, Tajiri, Taniguchi, Tom and Yoshimura.

A concurrent resolution (H.C.R. No. 107) urging the Department of Transportation to implement measures to relieve peak hour traffic congestion on the H-1 and H-2 Interstate Highways for Central Oahu commuters was jointly offered by Representatives Menor, Kihano, Leong, Bunda, Apo, Cachola, Cavasso, Crozier, Gaulty, Hagino, Hashimoto, Hemmings, Honda, Isbell, Jones, Marumoto, Menor, Metcalf, Nakata, Okamura, Oshiro, Pfeil, Shito, Shon, Souki, Tajiri, Taniguchi and Tom.

A concurrent resolution (H.C.R. No. 108) requesting the development of a proposal to establish a Department of Corrections was jointly offered by Representatives Menor, Apo, Bunda, Cachola, Cavasso, Crozier, Gaulty, Hagino, Hashimoto, Hemmings, Honda, Ikeda, Isbell, Jones, Kihano, Kim, Leong, Lindsey, Marumoto, Medeiros, Metcalf, Morgado, Nakata, Okamura, Onouye, Oshiro, Pfeil, Shito, Shon, Souki, Tajiri, Tam and Tom.

A concurrent resolution (H.C.R. No. 109) requesting a study of the

feasibility of authorizing the use of medicaid funds for experimental medical procedures when necessary to save the lives of recipients and no other better treatment alternatives are available was jointly offered by Representatives Menor, Anderson, Apo, Bunda, Cachola, Cavasso, Crozier, Gaulty, Hagino, Hemmings, Honda, Ikeda, Isbell, Jones, Kihano, Leong, Lindsey, Marumoto, Medeiros, Metcalf, Morgado, Nakata, Okamura, Onouye, Shito, Shon, Souki, Tajiri, Tam and Tom.

A concurrent resolution (H.C.R. No. 110) requesting a report on the underground injection control program was jointly offered by Representatives Metcalf, Andrews, Honda, Kawakami, Lardizabal, Levin, Lindsey, Souki, Tajiri and Takamine.

At this time, Representative Liu requested permission to make a late introduction and directed by the Chair to "please proceed", introduced Mrs. Helen Gardner, National President of the American Legion Auxiliary.

ANNOUNCEMENTS

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

Representative Bunda: "Your Committee on Consumer Protection will have a hearing this afternoon at 1:30 in Room 328. Decision making to follow."

Representative Onouye: "This afternoon, your Committee on Higher Education and the Arts will be having a public hearing on several resolutions at 1:30 in Room 310."

Representative Souki: "Your Committee on Finance will be holding a public hearing at 3:00 p.m. in Room 307 and decision making to follow. Please be prepared for a long meeting."

Representative Oshiro: "Your Committees on Transportation and Water, Land Use Development, and Hawaiian Affairs will be having a public hearing on Wednesday, 9:00 o'clock, Conference Room 310. Thereafter, your Committee on Transportation will be continuing with its own public hearing. Decision making to follow if time permits."

Representative Bunda: "On that hearing this afternoon at 1:30, the first bill will be joint with Tourism

and the second bill will be joint with Housing."

ADJOURNMENT

At 11:10 o'clock a.m., on motion by

Representative Okamura, seconded by Representative Ikeda and carried, the House of Representatives adjourned until 11:00 o'clock a.m. on Wednesday, March 27, 1985.

FORTY-FOURTH DAY

Wednesday, March 27, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:10 o'clock a.m., with the Speaker presiding.

The Diving Blessing was invoked by Captain Lee M. Thompson, Chaplain in the United States Air Force, after which the Roll was called showing all members present with the exception of Representatives Anderson, Cavasso and Kamali'i who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Forty-First and Forty-Second Days.

On motion by Representative Okamura, seconded by Representative Ikeda and carried, reading of the Journals was dispensed with and the Journals of the Forty-First and Forty-Second Days were approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 366 to 369) were read by the Clerk and disposed of as follows:

A communication from the Senate (Sen. Com. No. 366) returning House Bill No. 163 entitled: "A BILL FOR AN ACT RELATING TO HEALTH", which passed Third Reading in the Senate on March 25, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 367) returning House Bill No. 162 entitled "A BILL FOR AN ACT RELATING TO HEALTH", which passed Third Reading in the Senate on March 25, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 368) returning House Bill No. 165 entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", which passed Third Reading in the Senate on March 25, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 369) returning House Bill No. 860, HD1, entitled: "A BILL FOR AN ACT RELATING

TO HOUSING LOAN AND MORTGAGE PROGRAMS", which passed Third Reading in the Senate on March 25, 1985, in an amended form, was placed on file.

By unanimous consent, H.B. Nos. 162, 165 and 860, HD1, as amended by the Senate, were placed on the Clerk's desk, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 162, SD1; 165, SD1; and 860, HD1, SD1, were made available to the members of the House at 11:00 o'clock a.m.

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

Representative Okamura introduced Denise Tajiri and Craig Murata, who are here observing the legislative process.

Representative Nakata introduced several foreign students from the Hawaii Mission Academy as follows: from Japan, Romy Saito; Hideaki Oshima; Mariko Muraoka; Lisa Wakabayashi; Yasuko Tsuji; and from Hong Kong, Wai Ling Lee.

Representative Morgado, on behalf of Representative Tungpalan, introduced a student from Pearl City, Brooke Nagaji and her father, Mr. Nagaji.

At 11:15 o'clock a.m., Representative Kihano asked for a recess, and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:17 o'clock a.m.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Okamura, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of considering certain resolutions out of order.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 328 to 330) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 328) congratulating Eric C. Delos Santos for his appointment as one of Hawaii's delegates to the 1985 United States Senate Youth Program was jointly offered by Representatives Cachola, Grauly, Anderson, Andrews, Apo, Crozier, Hagino, Hashimoto, Hemmings, Honda, Ikeda, Jones, Kamali'i, Kihano, Kim, Lindsey, Liu, Metcalf, Nakasato, Okamura, Oshiro, Shon, Souki, Tam, Taniguchi, Tom and Tungpalan.

On motion by Representative Cachola, seconded by Representative Grauly and carried, H.R. No. 328 was adopted.

A resolution (H.R. No. 329) congratulating Jeffrey M. Pepper for his appointment as one of Hawaii's delegates to the 1985 United States Senate Youth Program was jointly offered by Representatives Cachola, Okamura, Kim, Anderson, Andrews, Apo, Crozier, Grauly, Hagino, Hashimoto, Hemmings, Honda, Ikeda, Jones, Kamali'i, Kihano, Lindsey, Liu, Metcalf, Nakasato, Oshiro, Shon, Souki, Tam, Taniguchi, Tom and Tungpalan.

On motion by Representative Cachola, seconded by Representative Okamura and carried, H.R. No. 329 was adopted.

At this time, Representative Cachola rose and stated:

"Mr. Speaker, it gives me great pleasure to introduce to you two outstanding young students in the public school system whom I feel, serves as role models to others.

"These two outstanding students are Eric Delos Santos and Jeffrey Pepper. Both were selected to serve as Hawaii's delegates to the 1985 United States Senate Youth Program in Washington D.C.

"The resolution speaks for itself, Mr. Speaker; however, I would like to share additional information that is worth mentioning.

"Allow me to first speak about Eric Delos Santos. Eric is a senior at Farrington High School. Eric's appointment to the United States Senate Youth Program is not Eric's first achievement. He has been receiving distinctions for quite some time.

"When he graduated from Dole Intermediate, he was the valedictorian of his class. During his sophomore year at Farrington, he was awarded

the Hugh O'Brien Award for his leadership and academic abilities and was sent to Orlando, Florida to represent the State of Hawaii.

"Presently Eric serves as student government president. He is also a member of the National Honor Society and is the managing editor of the school's newspaper.

"His future plans include attending Amherst College, majoring in economics and running for public office.

"By the way, Mr. Speaker, Eric is in my district and I welcome him.

"The second honoree is Jeffrey Pepper. He is a senior at Radford High School.

"Jeffrey, like Eric, is a member of the National Honor Society. Jeffrey's achievements include the prestigious Century Third Award for outstanding leadership wherein he represented the State of Hawaii in Virginia. He also won the Oratorical Award wherein he will again represent our State in Arizona. He also won the Freedom's Foundation Award for outstanding youth essay.

"Jeffrey was recently featured in the Advertiser as one of Hawaii's young achievers.

"During Jeffrey's sophomore year, he was selected to represent the State of Hawaii in the Youth Leadership Conference at Valley Forge, Pennsylvania.

"Jeffrey's future plans include pursuing a career in international business law at Yale University.

"Mr. Speaker, legislators, I feel it is important to recognize such individuals, so that they may be encouraged to go on to greater heights and to serve as an inspiration to other students so that they too, may set high standards and goals for themselves.

"It is so gratifying and encouraging to know, Mr. Speaker, in spite of a negative public perception about our public school system, that students like Eric and Jeffrey are paving the way to a promising future, not only for them, but more importantly for people of our community as a whole."

At this time, Representative Cachola on behalf of Representative Grauly and himself introduced the honoree, Eric Delos Santos who was asked to stand and be recognized.

Also introduced by Representative Cachola on behalf of Representatives Kim, Okamura and himself, was Jeffrey Pepper who was asked to stand and be recognized.

Along with the honorees, Representative Cachola introduced the proud parents of the honorees, Mr. and Mrs. Adrian Delos Santos and Dr. and Mrs. Leonard Pepper and principal of Farrington High School, Mrs. Esther Cobb, and Mr. Wendell Statskow, principal of Radford High School.

At this time, white carnations leis were presented to Eric Delos Santos by Representative Hashimoto and to Jeffrey Pepper by Representative Kim, and floral leis were presented to Mrs. Pepper by Representative Okamura; to Mrs. Delos Santos by Representative Gaulty; to Dr. Pepper by Representative Hirono; to Mr. Delos Santos by Representative Tungpalan; to Mrs. Cobb by Representative Lardizabal and to Mr. Statskow by Representative Levin and Representative Cachola presented certified copies of the resolutions to the honorees.

Also asked to stand and be recognized were relatives and friends of the honorees who were seated in the gallery.

Representative Okamura then rose and in behalf of Jeffrey Pepper, stated:

"I'm not going over and extol all of his accomplishments, but I just wanted to say that I'm very proud of you, Jeffrey.

"Ever since I became a representative in 1980, the one name, the one person that I sent the most congratulatory letters over the years is Jeffrey Pepper. He is really an outstanding young man.

"On the campus itself, in spite of all of his accomplishments, he is one of the most well liked, well respected and certainly one of the most mature young man that I have ever come across. I do wish you well and I must also commend his parents whom I have gotten to know very well also. And they themselves are real community pillars in the Foster Village area. I congratulate you and thank you very much for coming today."

A resolution (H.R. No. 330) congratulating Ruth Ellen Lindenberg for being recognized by the National Association of Social Workers as Social

Worker of the Year was jointly offered by Representatives Gaulty and Leong.

On motion by Representative Gaulty, seconded by Representative Leong and carried, H.R. No. 330 was adopted.

Representative Gaulty rose and stated:

"Mr. Speaker and members of the House: The month of March has been proclaimed Professional Social Work Month and it is fitting that we honor today the person who has been selected as the Social Worker of the Year.

"Social workers are involved in so many aspects of daily living, and in so many of the problems affecting the human condition. Social workers are found in our hospitals working with our newly born infants and their parents, and with our elderly in our care homes and nursing homes. Social workers now constitute the largest group of professionals engaged in solving problems and serving the needs of our people.

"The social worker in days past was known to be a person with a big heart and an overwhelming sense of caring and compassion. The social workers of today, however, must be more than that. For in addition, the social worker of today is called upon to make crucial judgments. It is that good sense of judgment, Mr. Speaker and colleagues, that social workers must have to serve in our challenging times.

"It is in this context that we honor today Ruth Ellen Lindenberg. Ruth Ellen was born in the peaceful town of Eden, in upstate New York, not so long ago. She graduated from the University of Pennsylvania with her degree in social work and began her climb in the profession from a case worker at the Graduate Hospital of the University of Pennsylvania to being a full Professor of the School of Social Work at Cleveland State University.

"Upon her arrival in Hawaii with her husband Sidney in 1978, Ruth Ellen involved herself in volunteer work in the Waianae and Leeward Coast. Ruth Ellen has played a significant role in our community-based mental health planning efforts. She has worked closely with the University of Hawaii School of Social Work and has been very active in legislation affecting the rights of

the mentally ill.

"Mr. Speaker and members of the House, it is a pleasure for me to introduce to you a persevering, energetic self starter, the Hawaii Social Worker of the Year, Ruth Ellen Lindenberg."

Accompanying Mrs. Lindenberg is a member of the Board of Directors of the National Association of Social Workers, Hawaii Chapter, and a friend of Ruth Ellen, Ms. Janice Roberts, who was then asked to stand and be recognized.

Floral leis were presented to Mrs. Lindenberg by Representative Blair and to Mrs. Roberts by Representative Leong and a certified copy of the resolution was presented to the honoree by Representative Gaulty.

At 11:35 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purposes of allowing us the opportunity to extend our personal aloha and congratulations to our honorees this morning."

Upon reconvening at 11:43 o'clock a.m., the Vice Speaker assumed the rostrum and the Chair directed the Clerk to note the presence of Representative Cavasso.

STANDING COMMITTEE REPORTS

Representative Gaulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 776) recommending that H.R. No. 155, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Gaulty, seconded by Representative Leong and carried, the report of the Committee was adopted and H.R. No. 155, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A LONG-TERM CARE RESPITE DEMONSTRATION PROJECT", was referred to the Committee on Finance.

Representative Gaulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 777) recommending that H.C.R. No. 35, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Gaulty, seconded by Representative Leong and carried, the report of the Committee was adopted and H.C.R. No. 35, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUEST-

ING THE ESTABLISHMENT OF A LONG-TERM CARE RESPITE DEMONSTRATION PROJECT", was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 778) recommending that H.R. No. 137, be referred to the Committee on Finance.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.R. No. 137 entitled: "HOUSE RESOLUTION REQUESTING THE EXAMINATION OF THE NECESSITY FOR SPECIAL WITNESS PARKING PERMITS", was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 779) recommending that H.C.R. No. 3, be referred to the Committee on Finance.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY ALTERNATIVES TO EXPEDITE THE DISPOSITION OF TRAFFIC CASES", was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 780) recommending that H.C.R. No. 2 be referred to the Committee on Finance.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE TWELVE MEMBER JURY REQUIREMENT IN CIVIL CASES", was referred to the Committee on Finance.

Representative Gaulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 781) recommending that H.R. No. 30, as amended in HD1, be referred to the Committee on Legislative Management.

On motion by Representative Gaulty, seconded by Representative Leong and carried, the report of the Committee was adopted and H.R. No. 30, HD1, entitled: "HOUSE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF CHILD ABUSE AND NEGLECT", was referred to the Committee on Legislative Management.

Representative Morgado, for the Committee on Education, presented a report (Stand. Com. Rep. No. 782) recommending that H.R. No. 100 be referred to the Committee on Finance.

On motion by Representative Kim, seconded by Representative Tam and carried, the report of the Committee was adopted and H.R. No. 100, entitled: "HOUSE RESOLUTION CONCERNING A COMMUNITY LIBRARY IN THE VICINITY OF FARRINGTON HIGHWAY AND MAKAKILO DRIVE", was referred to the Committee on Finance.

Representative Morgado, for the Committee on Education, presented a report (Stand. Com. Rep. No. 783) recommending that H.C.R. No. 43, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Kim, seconded by Representative Tam and carried, the report of the Committee was adopted and H.C.R. No. 43, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ON COUNSELING SERVICES IN THE PUBLIC SECONDARY SCHOOLS", was referred to the Committee on Finance.

Representatives Morgado and Grauly, for the majority of the Committees on Education and Human Services, presented a joint report (Stand. Com. Rep. No. 784) recommending that H.R. No. 115, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Kim, seconded by Representative Grauly and carried, the joint report of the majority of the Committees was adopted and H.R. No. 115, HD1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF CURRICULUM FOR FAMILY LIFE AND PARENTING EDUCATION IN THE PUBLIC SCHOOLS", was referred to the Committee on Finance.

Representatives Morgado and Grauly, for the majority of the Committees on Education and Human Services, presented a joint report (Stand. Com. Rep. No. 785) recommending that H.C.R. No. 20 as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Kim, seconded by Representative Grauly and carried, the joint report of the majority of the Committees was adopted and H.C.R. No. 20, HD1, entitled: "HOUSE CONCURRENT

RESOLUTION REQUESTING A STUDY OF CURRICULUM FOR FAMILY LIFE AND PARENTING EDUCATION IN THE PUBLIC SCHOOLS", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 786) recommending that S.B. No. 110, SD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Cachola, seconded by Representative Kihano and carried, the report of the Committee was adopted and S.B. No. 110, SD1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was placed on the calendar for Third Reading.

Representative Bunda, for the Committee on Health, presented a report (Stand. Com. Rep. No. 787) recommending that S.B. No. 62, SD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kihano, seconded by Representative Leong and carried, the report of the Committee was adopted and S.B. No. 62, SD1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Grauly and Tom, for the Committees on Human Services and Judiciary, presented a joint report (Stand. Com. Rep. No. 788) recommending that S.B. No. 1240, SD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Grauly, seconded by Representative Tom and carried, the joint report of the Committees was adopted, and S.B. No. 1240, SD1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 789) recommending that S.B. No. 19, SD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Honda, seconded by Representative Nakata and carried, the report of the Committee was adopted and S.B. No. 19,

SD1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPORT OF FRUITS, VEGETABLES, NUTS AND COFFEE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 790) recommending that S.B. No. 93, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Apo, seconded by Representative Shon and carried, the report of the Committee was adopted and S.B. No. 93, HD1, entitled: "A BILL FOR AN ACT RELATING TO FISH CATCH REPORTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 791) recommending that S.B. No. 1224, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Pfeil, seconded by Representative Shon and carried, the report of the Committee was adopted and S.B. No. 1224, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", passed Second Reading and was placed on the calendar for Third Reading.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 792) recommending that S.B. No. 132, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Oshiro, seconded by Representative Onouye and carried, the report of the Committee was adopted and S.B. No. 132, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO LIGHTS FOR MOTOR VEHICLES, MOTOR CYCLES, MOTOR SCOOTERS, AND MOTORIZED BICYCLES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 793) recommending that S.B. No. 1365, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Oshiro, seconded by Representative Onouye and carried, the report of the Committee was adopted and S.B. No. 1365, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 794) recommending that S.B. No. 1318, SD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Oshiro, seconded by Representative Onouye and carried, the report of the Committee was adopted and S.B. No. 1318, SD1, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 795) recommending that S.B. No. 194, SD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.B. No. 194, SD1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 796) recommending that S.B. No. 195 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.B. No. 195, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand.

Com. Rep. No. 797) recommending that S.B. No. 189, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.B. No. 189, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 798) recommending that S.B. No. 191 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.B. No. 191, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 799) recommending that S.B. No. 218, SD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.B. No. 218, SD1, entitled: "A BILL FOR AN ACT RELATING TO HEARING AID DEALERS AND FITTERS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 800) recommending that S.B. No. 193 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.B. No. 193, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kiyabu, for the

Committee on Finance, presented a report (Stand. Com. Rep. No. 801) recommending that S.B. No. 35, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 35, HD1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of S.B. No. 93, HD1; S.B. No. 1224, SD, HD1; S.B. No. 132, SD1, HD1; S.B. No. 1365, SD1, HD1; S.B. No. 189, SD1, HD1; and S.B. No. 34, HD1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 802) recommending that S.B. No. 34, SD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 34, SD1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE ACTIVITY BONDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 803) recommending that S.B. No. 479, SD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 479, SD1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF TAXATION", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Tom and Levin, for the majority of the Committees on Judiciary and Higher Education and the Arts, presented a joint report (Stand. Com. Rep. No. 804) recommending that H.R. No. 167, be adopted.

Representative Tom moved that the

report of the majority of the Committees be adopted and H.R. No. 167 be adopted, seconded by Representative Levin.

Representative Liu rose to speak in favor of the resolution with reservations, stating:

"Real quickly, Mr. Speaker, and the task when I was in this Body in Sessions of 1981 and 1982, I voted against the resolution supporting the establishment of the Institute for Peace. For one reason, I think that there is an element of arrogance in the United States feeling, that as in war, it can in peace, somehow lead the way.

"I would hope that if the Institute for Peace is established, that in fact it not be established on the soil of the United States, as part of the United States, or a state of the United States, but rather perhaps in a territory that would really bring about a view of internationalism, perhaps an area such as Guam or Puerto Rico rather than on the grounds of a state of our Nation.

"Thank you, Mr. Speaker."

Representative Hemmings then rose to speak on the resolution with reservations, stating:

"I would like to paraphrase a quote, Mr. Speaker, that there was once a time when a country was considered imperialistic if it invaded a foreign territory and imposed on a free and independent people an authority they rejected.

"Ironically today, Mr. Speaker, it seems you're an imperialist if you oppose such aggression; and though I support the intent of this resolution wholeheartedly, I'm worried that as in past efforts of this nature, especially during the Vietnam War, well meaning institutes and movements, hiding under the guise of peace which nobody can argue against, often times becomes the bastions of anti-Americanism.

"It is my hope that with the passage of this resolution, the Institute for Peace be just that--an Institute representing all the different points of view regarding peace in this country, and that it will actually work toward peace and not work to further demoralizing and tearing down the American institution that we all stand for.

"Thank you, Mr. Speaker."

Representative Jones then rose and requested to have Representative Hemmings remarks be incorporated as his own and the Chair "so noted". (By reference only)

Representative Cavasso also rose and requested to have Representative Hemmings remarks be incorporated as his own and the Chair "so noted". (By reference only)

Representative Apo rose in support of the motion, stating:

"Mr. Speaker, I would just like to note that when we think of an Institute for Peace, especially with the kind of publicity that it has gotten from Senator Matsunaga, that our thinking is limited to developing a global model.

"At the public hearing which was held, I made a suggestion to the supporters that perhaps an Institute for Peace in Hawaii ought to give equal attention to developing neighborhood models, for we cannot bring peace within our neighborhoods, then certainly our efforts of bringing peace at the global level, I would think would be doomed to failure.

"With respects to the concerns of the previous speakers, I think I could accurately state that their concern whether an Institute for Peace would arbitrarily exempt the current Federal Administration's stance of peace through strength, which translated against means military buildup -- that question at the hearing was also addressed, and the answer was that they would include and consider all scenarios that would design to achieve peace, including peace through strength.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, the report of the majority of the Committees was adopted and H.R. No. 167 entitled: "HOUSE RESOLUTION SUPPORTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE AT THE UNIVERSITY OF HAWAII", was adopted.

Representative Tom, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 805) recommending that H.R. No. 145, be adopted.

On motion by Representative Tom, seconded by Levin and carried, the report of the majority of the Committee was adopted and H.R. No. 145, entitled: "HOUSE RESOLUTION

URGING THE UNITED STATES TO ADOPT A POLICY OF NO-FIRST-USE OF NUCLEAR WEAPONS", was adopted with Representatives Jones, Liu, Hemmings, Cavasso and Medeiros voting no.

Representative Tom, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 806) recommending that H.R. No. 109, be adopted.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the majority of the Committee was adopted and H.R. No. 109, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES AND THE SOVIET UNION TO SUPPORT PEACEFUL USES OF SPACE AND TO AVOID THE USE OF SPACE FOR WARFARE", was adopted with Representatives Jones, Liu, Hemmings, Cavasso and Medeiros voting no.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 807) recommending that H.R. No. 118, be adopted.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF LIVING WILL AND NATURAL DEATH LEGISLATION", was adopted.

Representative Tom, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 808) recommending that H.R. No. 135, be adopted.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the majority of the Committee was adopted and H.R. No. 135, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES AND THE SOVIET UNION TO ESTABLISH AN IMMEDIATE, MUTUAL, AND VERIFIABLE MORATORIUM ON NUCLEAR WEAPONS", was adopted with Representatives Jones, Hemmings, Cavasso and Medeiros voting no.

Representative Jones rose to speak in opposition to H.R. Nos. 145; 109; and 135, stating:

"I will record "no" votes for those particular resolutions today, Mr. Speaker, the principle reason being not the positive or many negative merits of the resolution themselves;

the principle reason being that the House of Representatives of the State of Hawaii should not be the forum for these kinds of international issues especially in light of the fact that we are trying to get a battleship group which is going to provide jobs for the people of the State of Hawaii here in Hawaii.

"These resolutions are going right to the Pentagon and whether we like it or not, the decision on positioning the battleships here is not only one that is strategic it is one that is political; and we're going to send a message to Washington and why should we send the message to Washington when we don't have to send the message.

"The purpose of this Body is not to deal with these national issues. We are facing some major problems in this State with Workmen's Compensation, and I hope and pray that we will not distinguish ourselves as a legislature that does absolutely nothing about Workmen's Compensation . . ."

The Chair interrupted Representative Jones and remarked:

"The Chair would like you to please stick to the issues at hand. I would appreciate it." The Chair then directed Representative Jones to proceed.

Representative Jones continued his remarks, stating:

"Finally, let us not forget that the major increase of jobs that has come in this State in the past several years came from our defense spending. I am very concerned, Mr. Speaker, about the message this is going to send to Washington and therefore, because this is an issue this Legislature need not and should not address on a national scale, I ask my fellow Representatives to please vote no on these three resolutions.

"Thank you, Mr. Speaker."

Representative Liu then rose to make comments against H.R. Nos. 145; 109; and with reservations on H.R. No. 135, stating:

"In regard to H.R. No. 145, I'd like to speak against the resolution because I think it's a poorly drafted resolution, very inaccurate in a number of places.

"The first paragraph for this resolution I think, really shows that the draft or drafters failed to under-

stand Soviet strategy and tactics in the area of nuclear warfare.

"At least since the mid 1960's, the Soviet Union has never viewed the use of tactical nuclear weapons in the European theatre as a change in directions once hostile actions have begun.

"To quote General Hackett, former NATO general and author of The Third World War, August, 1945, its indicated '...that at no time has it been accepted in the Soviet Union that nuclear and non-nuclear operations could be distinguished in kind, that a so-called "fire brush" -- some call it in the West -- could be conjured up between them.'

"All operations of war in the Soviet view lie in a continuum.

"Where is the evidence to accuse NATO, as it is done in the resolution, of being dependent upon a plan of nuclear response to a conventional force incursion by Warsaw Pact forces?

"The fact is that there is no such evidence in the resolution because it is untrue.

"As stated in the Congressional Digest of this past summer '...deterrence really is the cornerstone of NATO defense policy.'

"It is also untrue as stated in the resolution that NATO forces are estimated to be generally superior to Warsaw Pact forces -- untrue because one, GNP which is for some reason stated in the resolution as being related to Armed Forces of NATO has nothing to do with the actual strength of the various countries' military forces in that region; and number two, NATO's command structure is far from unified in the commitment of individual NATO countries' forces to NATO for, it is in part, on an availability basis, which is very different from the Warsaw Pact unified command structure.

"According to the International Institute for Strategic Studies which places the relative strengths of NATO and Warsaw Pact countries as follows: Warsaw Pact divisions, 47; NATO, 30; tanks, Warsaw Pact, 20,500; NATO, 7300; Warsaw Pact countries in artillery, 10,000; NATO, 2700; Warsaw Pact aircraft, 4200; NATO, 2400. Based on those figures, it is very clear that the relative strengths are not equal as implied and stated in the resolution.

"Further, I would have hoped that the full context of the so-called Soviet declaration of 'no first-use' policy had been given in this resolution. I am curious because the resolution alleges that such a declaration was made by the Soviet Union in the U.N. Assembly in the Spring of 1983.

"First of all, the U.N. Assembly meets in the Fall; secondly, a thorough review of the New York Times Index and the Index to Periodicals, both in 1983 and 1984, failed to reveal any stories lending credibility to this allegation.

"I oppose the war in Vietnam and have serious misgivings on the U.S. involvement in Central America, so I do not speak against this resolution as one who blindly oppose use of United States military power to resolve economic, social or even military problems in the world. But it bothers me when we approach a subject as important as nuclear defense policy as if we were on some mystical tryst, with lost glory on summer's eve.

"In dialectic, in fact, precision should be reached for on this issue of the world's future, and indeed, I think this resolution as drafted, merely serves to confuse and obfuscate the real issue.

"On H.R. No. 109, Mr. Speaker, I also speak against this resolution in much the same vein as I have on H.R. No. 145.

"Let me state for the record that again there are factual inaccuracies in this resolution and half-truths. There is no discussion on the real military problem which exists today in the Soviet perception that there is advantage to a first strike option, given the quantity and quality of the Soviet Union's SSAT's and SS20's. There is no discussion of the need to temper that view with some form of modification of U.S. retaliatory ability. There is no intelligent discussion of in this resolution of the Soviet violations of the ABM 1972 treaty. When mentioned to the Soviets, in fact, it is the Soviets claim that their ABM's system, which they do have, is merely a defense system against the B-1 bomber of the U.S. which has yet to be fully developed.

"Further, there is no mention that the Soviets in 1982 and 1983 failed to respond to U.S. initiatives involving the control of intermediate and long range nuclear weapons.

"The point is here that a space defense system is only one component of a total interrelated subject called arms control and again, if we wish to deal with such an issue, let's do it right. We don't have the time or the resources to go into all the ramifications and all the questions of fact involved and let's stay away from those issues and stick to those which we really have the resources and time to deal with.

"Finally, Mr. Speaker, on H.R. No. 135, I do support this resolution, but I do have grave reservations again because it is not fully developed; because it lays the blame for some reason or the onus upon the Reagan Administration of coming up with the idea of limited nuclear warfare.

"Let's not fool ourselves. Democrats and Republican administrations have developed the concept of use of nuclear weapons. It was under a Democrat president that the atomic bomb was used against Japan; John Kennedy considered the use of nuclear weapons in Southeast Asia and Cuba; and Lyndon Johnson, of course, considered the same in Vietnam.

"If anyone has any doubts that the Soviet Union does not have such plans, I suggest reading any recent publication written by almost any type of diplomat or student of nuclear strategy to take a look at those and come up with a different conclusion, if they could.

"So until the Soviet Union, I feel, does agree to the conditions of a freeze as outlined in the resolution, we must not condemn, as this resolution does, the recognition that use of nuclear weapons, is in fact, contemplated by the Soviet Union and by India, and by France, and by China, blinding ourselves to this while attempting to achieve a safer world, Mr. Speaker, will not save us from Armageddon.

"Thank you."

The Chair asked Representative Liu, on a point of clarification:

"You are speaking in support of the bill, with reservations?"

Representative Liu replied:

"That is with reservations on H.R. 135."

Representative Hemmings rose to speak against H.R. No. 145, H.R.

No. 109 and H.R. No. 135, stating:

"Mr. Speaker, Colleagues: Presently there are some very serious negotiations going on in Geneva on this very issue, and yesterday in the Congress of the United States of America in which the House of Representatives which is controlled by Democrats, they voted a very expensive bill that we or may not necessarily agree with--the expenditure of moneys to continue to build the MX missile to a tune of one and a half billion dollars.

"This was voted for mostly because of what is happening in Geneva. In Geneva, they are negotiating all these issues and those of us who are in any type of negotiations on any issue, you don't unilaterally take off your bargaining table something that the other side wants without a concession.

"By passing these resolutions, we are doing just that. We are weakening the resolve of the NATO countries and the bargaining position of our Allies in trying to work for world peace.

"The United States of America is not the aggressor. We do seek honestly, peace.

"Margaret Thatcher, when she came to the United States, she said that these peace talks were happening not because of the good intentions of the Russians but because of the strength and resolve of the United States and its Allies.

"Mr. Speaker, it is unreasonable for us to be so presumptuous as to pass these resolutions at this time with such important bargaining going on in Geneva, and passage of these resolutions would seriously erode our bargaining position, and I therefore ask all my colleagues to vote no on these resolutions.

"Thank you, Mr. Speaker."

Representative Tom then rose to speak in favor of the resolutions, stating:

"Mr. Speaker, I feel compelled to speak in favor of these resolutions because as the Chair of the committee, I believe in these resolutions.

"I'd like to remind those persons this morning who spoke against these resolutions that much of what they're saying today were not brought up at the hearing, and in fact, may I

remind those of you who spoke against these resolutions today that all of the testimony presented was in favor of these resolutions; and that the notices did go out on these resolutions and I don't recall anyone coming to speak against these resolutions and why not?

"I don't think anyone is in favor of saying, 'let's go ahead and use nuclear weapons.' I think the policy of 'no-first-use' of nuclear weapons is a good policy because what is the contrary to that?

"What about peaceful use of space? Anyone in favor of unpeaceful or war use in space? I think this thing about Star Wars and Empire Strike Back--my kids love that--we all love that as adults, but is that what we want to see?

"And the last one about moratorium on nuclear weapons. You know, we are sending a message and maybe we shouldn't get involved in a lot of the national issues that the opponents of these resolutions are talking about. But let me tell you this -- these national issues involve all of us, you, me and each one of us. And these are resolutions, not bills that we're passing. Gee, don't make a federal issue out of something like this.

"Let me tell you one thing. You look at these resolutions and you tell me if you're in favor of the opposite, that is, a policy of first use, a policy of war uses of space, an empire strikes back and if you're in favor of no moratorium of nuclear weapons, be my guest.

"Thank you, Mr. Speaker."

Representative Liu rose and stated:

"Just for the record, indicate to the previous speaker that the points brought out by me were made at the hearing, that in fact, it was my position that those resolutions to which I spoke to were not well developed and for that reason, for the record, I was objecting to the recommendations of that committee for passage of it. I just wanted to let my other colleagues know in this Body that such a point was made at the correct time.

"Thank you, Mr. Speaker."

Representative Hemmings then rose on a point of personal privilege.

The Chair directed Representative

Hemmings to state his point.

Representative Hemmings, replied:

"Mr. Speaker, if you notice the Order of the Day, the hearing on H.R. No. 167 was joint with Judiciary and Higher Education at which time I expressed the apprehension at that meeting which I expressed here; and I also in doing so tried to express apprehensions regarding H.R. Nos. 145, 109 and 135 because I felt they tied in and Mr. Speaker, for the record, I was ruled out of order when I tried to express my apprehensions."

The Chair then remarked:

"Representative Hemmings, the Chair has a rather narrow interpretation of the term 'personal privilege'. At this time, it would be very difficult for me to accept that, what you just said, as a point of personal privilege. Would you like to use that time as a rebuttal to what has been said?"

Representative Hemmings replied:

"Yes, I would Mr. Speaker. Thank you very much.

"And I would also like to note that in rebuttal to what was just said, with all due respect to the Chairman of the Judiciary Committee, I don't think anybody is advocating the alternate to the intent of these resolutions. What we are advocating is peace through strength in dealing with our adversary in a forceful and strong manner, and we do not want to unilaterally disarm ourselves to give unfair advantage to our adversary who has, since the second world war or at least even longer, demonstrated a strong resolve to spread international terrorism. The record speaks for itself on the Russians. I don't think any of us are interested in the alternative to these resolutions, but we also cannot disarm ourselves.

"Thank you, Mr. Speaker."

Representative Crozier then rose to speak in favor of the resolutions primarily in rebuttal, stating:

"I would like to rebut the arguments presented to us from the Representative from the area of Kuliouou and Hawaii Kai.

"He said that we are in negotiation right now for the battleship, so we shouldn't vote our conscience.

"Mr. Speaker, Senator Matsunaga voted against the MX missile. Senator Inouye voted against the MX missile. Yesterday, Representative Heftel spoke on national TV against the MX missile. Representative Akaka voted against the MX missile. They knew negotiations were going on, but they felt in their heart that we got to stop this race in space and the MX missile; so I think we, the members of this House, should support them.

"Thank you."

Representative Cavasso rose to speak against the resolutions, stating:

"Mr. Speaker, I rise to speak against the spirit behind the resolutions here and simply state that we should not allow ourselves to be bound; we should not allow our country or our leader to be bound. We should remain strong and these resolutions seek in some ways, to bind our strength; and therefore, I urge this Body to vote no on these resolutions at this time."

The Chair, on a point of clarification asked Representative Cavasso:

"It's all three resolutions?"

Representative Cavasso answered in the affirmative.

Representative Medeiros rose and stated:

"Would the Clerk record a 'no' vote for me on H.R. Nos. 145, 109 and 135" and the Chair "so noted".

Representative Cavasso rose and stated:

"Mr. Speaker, please record a 'no' vote for me on those same bills" and the Chair "so noted".

Representatives Apo and Honda, for the Committees on Ocean and Marine Resources and Agriculture, presented a joint report (Stand. Com. Rep. No. 809) recommending that H.C.R. No. 42, as amended in HD1, be adopted.

On motion by Representative Apo, seconded by Representative Honda and carried, the joint report of the Committees was adopted and H.C.R. No. 42, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL COUNTIES OF THE STATE TO DEFINE AQUACULTURE AS A FORM OF AGRICULTURE UNDER THEIR GOVERNING ORDINANCES, CODES, RULES AND REGULATIONS",

was adopted.

Representatives Andrews and Honda, for the Committees on Planning, Energy and Environmental Protection and Agriculture, presented a joint report (Stand. Com. Rep. No. 810) recommending that H.C.R. No. 37 as amended in HD1, be adopted.

On motion by Representative Andrews, seconded by Representative Honda and carried, the joint report of the Committees was adopted and H.C.R. No. 37, HD1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN", was adopted.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 811) recommending that H.R. No. 170, be adopted.

On motion by Representative Apo, seconded by Representative Shon and carried, the report of the Committee was adopted and H.R. No. 170 entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO CONDUCT A STUDY OF THE MIGRATORY PATTERNS OF AHI AND MARLIN", was adopted.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 812) recommending that H.C.R. No. 45, as amended in HD1, be adopted.

On motion by Representative Apo, seconded by Representative Shon and carried, the report of the Committee was adopted and H.C.R. No. 45, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO CONDUCT A STUDY OF THE MIGRATORY PATTERNS OF AHI AND MARLIN", was adopted.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 319 to 327) and concurrent resolutions (H.C.R. Nos. 111 to 115) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 319) requesting a water resources control study for the Island of Hawaii was jointly offered by Representatives Isbell, Anderson, Cavasso, Hemmings, Ikeda, Liu, Medeiros, Onouye, Pfeil and Tajiri.

A resolution (H.R. No. 320) requesting that the Royal Life Saving Society of Canada's Swimmer Safety Program be implemented on a statewide basis was jointly offered by Representatives Isbell, Apo, Anderson, Cavasso, Hemmings, Ikeda, Levin, Medeiros and Pfeil.

A resolution (H.R. No. 321) requesting the Department of Land and Natural Resources to plan a course of action for the Hapuna Beach and Wailea areas on the Big Island was offered by Representative Isbell.

A resolution (H.R. No. 322) requesting a report on the mongoose population in the State of Hawaii was jointly offered by Representatives Isbell, Anderson, Cavasso, Hemmings, Ikeda, Levin, Medeiros, Onouye, Pfeil and Tajiri.

A resolution (H.R. No. 323) requesting the University of Hawaii to draft a five-year plan for the Hawaii Community College in West Hawaii was jointly offered by Representatives Isbell, Levin, Anderson, Cavasso, Hemmings, Ikeda, Medeiros, Onouye, Pfeil and Tajiri.

A resolution (H.R. No. 324) requesting an assessment of rural water catchment problems was offered by Representative Isbell.

A resolution (H.R. No. 325) requesting the State Departments of Education and Health to review their pediculosis control guidelines for the implementation of preventative measures was offered by Representative Oshiro.

A resolution (H.R. No. 326) requesting the Superintendent of Education in consultation with the Board of Education to study suggested programs designed to reduce the incidence of truancy was offered by Representative Oshiro.

A resolution (H.R. No. 327) requesting that the United States Postal Service issue a commemorative stamp honoring Duke Kahanamoku in conjunction with America's participation in the 1988 Olympic Games was jointly offered by Representatives Hemmings, Andrews, Apo, Blair, Cachola, Crozier, Graulty, Honda, Ige, Isbell, Jones, Kawakami, Kihano, Lardizabal, Leong, Lindsey, Liu, Marumoto, Menor, Morgado, Nakasato, Nakata, Okamura, Onouye, Oshiro, Pfeil, Say, Shito, Shon, Takamine, Tam, Tungpalan and Yoshimura.

A concurrent resolution (H.C.R.

No. 111) requesting a water resources control study for the Island of Hawaii was jointly offered by Representatives Isbell, Anderson, Cavasso, Hemmings, Ikeda, Medeiros and Pfeil.

A concurrent resolution (H.C.R. No. 112) requesting an assessment of rural water catchment problems was offered by Representative Isbell.

A concurrent resolution (H.C.R. No. 113) requesting the University of Hawaii to draft a five-year plan for the Hawaii Community College in West Hawaii was jointly offered by Representatives Isbell, Levin, Anderson, Cavasso, Hemmings, Ikeda, Medeiros, Onouye and Pfeil.

A concurrent resolution (H.C.R. No. 114) requesting the Department of Land and Natural Resources to plan a course of action for the Hapuna Beach and Wailea areas on the Big Island was offered by Representative Isbell.

A concurrent resolution (H.C.R. No. 115) requesting that the Royal Life Saving Society of Canada's Swimmer Safety Program be implemented on a statewide basis was jointly offered by Representatives Isbell, Apo, Anderson, Cavasso, Hemmings, Ikeda, Levin, Medeiros and Pfeil.

SUSPENSION OF RULES

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

THIRD READING

S.B. No. 72, SD1:

By unanimous consent, action was deferred one legislative day.

ANNOUNCEMENTS

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

Representative Metcalf: "Your Committee on Judiciary will be meeting this evening in Room 328 at 6:30 p.m. to consider various bills before that committee. Decision making to follow."

Representative Andrews: "Your Committee on Planning, Energy and

Environmental Protection will be having a hearing tomorrow at 9:00 a.m. in Conference Room 328.

"The first item in the agenda will be joint with Judiciary and on two other resolutions one will be joint with Water, Land Use Development and Hawaiian Affairs, and the other with Agriculture which was noted on the hearing notices."

Representative Kihano: "Tomorrow morning at 8:30, your Committee on Health will be having a hearing in Room 314 on several bills. We'll have decision making after, if time permits."

Representative Blair: "Your Committee on Corrections and Rehabilitation will be meeting at 1:30 in Room 328 for hearing and decision making will follow."

Representative Souki: "Your Committee on Finance will be having a hearing in Room 307 at 2:00 p.m. with decision making to follow."

Representative Shito: "Your Committee on Consumer Protection and Commerce will have decision making on three bills tomorrow afternoon in Room 416 at 1:30. These will be on S.B. Nos. 309, 327 and 182."

"Speaker, also request waiver on Senate Bill No. 192 on a 48-hour waiver and the Chair "so noted".

Representative Kawakami: "There will be an open Majority caucus tomorrow morning at 10:00 a.m."

Representative Marumoto: "This coming Sunday will be the Easter Seals Telethon, Saturday and Sunday nights. And there will be some Representatives who are participating. It is very nice of them to take the

time.

"Every year we have a group of Legislators and Councilmen who are serving on the panel. And this year on the legislative panel, we have Representatives Whitney Anderson, Bob Bunda and Donna Kim. I think Representative Kihano is also serving on an insurance panel."

"Anyway, the legislative panel will be on Sunday morning at 8:00 a.m. and we hope that everyone will participate by sending in a donation to these Representatives however big, however small. We would appreciate their help."

"Thank you very much."

Representative Kihano: "Mr. Speaker, I will be on the insurance panel for this year and I'll be on twelve noon and I am bound to raise \$1300.00 for the Easter Seals. So all the members here, please send it to me at twelve noon."

"Thank you very much."

Representative Okamura: "Mr. Speaker, I would like to announce to the members that one of our colleagues is celebrating his birthday today. He is not on the floor right now but perhaps when you all see him later in the afternoon, you could wish him a happy birthday--Representative Arnold Morgado."

ADJOURNMENT

At 12:20 o'clock p.m., on motion by Representative Okamura, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, Thursday, March 28, 1985.

FORTY-FIFTH DAY

Thursday, March 28, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Pastor O.W. Efurd of the Mililani Baptist Church, after which the Roll was called showing all members present with the exception of Representatives Ige, Kamali'i, Nakasato and Taniguchi, who were excused.

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

On motion by Representative Okamura, seconded by Representative Ikeda and carried, reading of the Journal was dispensed with and the Journal of the Forty-Third Day was approved.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 370) returning House Concurrent Resolution No. 51, HD 1, which was adopted by the Senate on March 27, 1985, was read by the Clerk and placed on file.

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

Representative Tam introduced Eran Agmon, "a personal friend of mine."

Representative Tungpalan introduced a group of seven Boy Scouts and three children from the Pearl City/Palisades area, along with three of the Speaker's nieces and nephew. They were accompanied by Mr. Stanley Pacheco, Scoutmaster, and Mrs. Velma Pacheco, Den Leader.

Representative Kihano introduced Gerald deHeer, a former colleague.

Representative Jones introduced Mr. James Dale Davidson, "founder and chairman of the National Citizens Lobby called the National Taxpayers' Union. He is enroute between Hong Kong and Washington. The NTU has a membership of 150,000 and is growing. Mr. Davidson is an author, lecturer, scholar and businessman. He has a degree from Maryland and also from Timber College in Oxford, England."

Representative Souki introduced Mr. Ed Nakamoto, "currently a lobbyist for Legal Aid. He also was the chairman of the Maui Senior Citizens Council. He won an award as the Outstanding Senior Citizen of the Year, and is a real hard worker for the people of Maui county."

Representative Shito introduced "Big John" Lessary, "a good friend of mine who has always given me strength and courage."

Representative Menor introduced members of the Mililani Soccer Team "which is called the Mililani Comets of the Paradise Grove Soccer League for girls under 10 and the team is sponsored by the Hawaii Youth Soccer Association. They are champions based on several competitions that they participated in." They were accompanied by Annette Nishikawa, coordinator of the team, Miss Carmen Padilla and several parents.

Representative Okamura introduced 12 students from Moanalua High School. "These students will be going to Washington, D.C. from April 20th to the 27th to view and witness close-up the workings of our federal branch of government." They were accompanied by Lana Mito, Student Activities Director.

ORDER OF THE DAY

SUSPENSION OF RULES

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 336 and 337) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 336) commending Kevin Iwamoto for his contributions to popular music and community service organizations was offered by Representative Tam.

On motion by Representative Tam, seconded by Representative Nakata and carried, H.R. No. 336 was adopted.

Representative Tam rose and stated:

"Mr. Speaker, this morning, we have before us a very talented special guest. He is none other than Mr. Kevin Iwamoto known to all of us as renowned singer, Kevin I. Here is an individual whereby all of Hawaii's people respect and love, not only for his entertainment talent which all of us wish we had, but for his deep concern for the welfare and well-being of the people of Hawaii on a voluntary basis. As stated in the resolution, Kevin I has generously contributed his musical talent and service to mankind.

"Kevin -- you are a credit to the State and to the people."

"Now, Mr. Speaker and fellow colleagues, I wish to introduce to you Mr. Kevin I who, I am proud to say, is a true friend of mine and also a fellow classmate from Roosevelt High School."

Representative Tam then asked Mr. Kevin Iwamoto to stand and be recognized.

A red carnation lei was presented to the honoree by Representative Hirono while a certified copy of the Resolution was presented by Representative Tam.

A resolution (H. R. No. 337) congratulating Dr. George Hillani Mills on being awarded the Doctor Benjamin Rush Award for citizenship and community service by the American Medical Association was jointly offered by Representatives Anderson, Andrews, Apo, Bunda, Cachola, Crozier, Graulty, Hagino, Hashimoto, Hemmings, Hirono, Honda, Ikeda, Isbell, Kihano, Levin, Lindsey, Liu, Marumoto, Medeiros, Menor, Metcalf, Morgado, Nakata, Onouye, Oshiro, Pfeil, Say, Shito, Shon, Souki, Tajiri, Takamine, Tam, Taniguchi and Yoshimura.

On motion by Representative Anderson, seconded by Representative Marumoto and carried, H.R. No. 337 was adopted.

Representative Anderson rose and stated:

"Thank you, Mr. Speaker. I had a speech all made out and I lost it so I am just going to have to say a few words from the top of my head.

"Mr. Speaker, we even forgot to put down that Dr. Mills was also a Senator for four years. He has done so much for the community that we had to leave a whole bunch of things

off the resolution. This man has worked hard for his community for so many years. He has opened his home to different organizations -- people that he really didn't know that well, and yet when they came to him and they said, we're trying to do something and we have to have a fundraiser, or our organization needs help, he was always the first to help.

"When I read in the paper that he had received from his own peers recognition with the Benjamin Rush Award, at that time I was going to call him to congratulate him and then I thought no, I would like to do it on the floor of this House, and share this with my colleagues. And at this time, Mr. Speaker, if I may, I would like to show you the plaque that he received from his own peers. (Showed members of the House and audience the Doctor Benjamin Rush plaque).

"I am very, very proud of Dr. Mills because he is always like family."

Representative Anderson then asked Dr. Mills to stand and be recognized. Accompanying Dr. Mills were Michelle and Pua.

Representative Marumoto presented Dr. Mills with a red carnation lei while orchid leis were presented to Michelle by Representative Lindsey, and to Pua by Representative Leong. Representative Nakata presented the honoree with a certified copy of the resolution.

At 11:33 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal aloha and congratulations to our honorees this morning."

Upon reconvening at 11:40 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Ige and Taniguchi.

SUSPENSION OF RULES

On motion by Representative Okamura, seconded by Representative Ikeda 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

S.B. No. 72, SD 1, on Third Reading:

On motion by Representative Bunda, seconded by Representative Yoshimura and carried, S.B. No. 72, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE AND CONTROLLED SUBSTANCES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

The Chair directed the Clerk to note that S.B. No. 72 had passed Third Reading at 11:41 o'clock a.m.

STANDING COMMITTEE REPORTS

Representatives Bunda and Andrews, for the majority of the Committees on health and Planning, Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 813) recommending that H.R. No. 175 be referred to the Committee on Finance.

On motion by Representative Crozier, seconded by Representative Andrews and carried, the joint report of the majority of the Committees was adopted and H.R. No. 175, entitled: "HOUSE RESOLUTION REQUESTING THE INSTALLATION OF AIR POLLUTION DETECTION EQUIPMENT IN MAKAKILO", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 331 to 335 and 338 to 341) and concurrent resolutions (H.C.R. Nos. 116 and 117) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 331) requesting the Board of Regents of the University of Hawaii to increase the graduate assistant positions at Manoa Campus was jointly offered by Representatives Shon, Apo, Hagino, Honda, Levin, Lindsey, Morgado, Onouye, Say and Yoshimura.

A resolution (H.R. No. 332) requesting a study of the overlapping functions of the State and counties in providing services for senior citizens was jointly offered by Representatives Grauly and Leong.

A resolution (H.R. No. 333) urging the Hawaii Insurance Rating Bureau to designate and acknowledge landscape and irrigation contractors as contractors for the purpose of split payroll calculation of insurance rates

was jointly offered by Representatives Cavasso and Shito.

A resolution (H.R. No. 334) requesting that the Hawaii Natural Energy Institute conduct a study to determine the most cost-effective means of eliminating the hydrogen sulfide odor emanating from the HGP-A well on the Big Island was jointly offered by Representatives Tajiri, Andrews, Kiyabu, Levin, Lindsey, Metcalf and Takamine.

A resolution (H.R. No. 335) requesting a study of the statewide standardized testing program of the Department of Education was offered by Representative Morgado.

A resolution (H.R. No. 338) requesting the State Librarian to study the feasibility of making substitute librarians and clerks available within the public library system, and to consider a pilot project to this effect was jointly offered by Representatives Lindsey, Cavasso, Hagino, Hemmings, Honda, Kim, Levin, Marumoto, Morgado, Onouye, Pfeil, Say, Shon, Tam and Yoshimura.

A resolution (H.R. No. 339) requesting the Governor to establish a joint community and governmental commission to coordinate activities commemorating the 200th Anniversary of the arrival of the Chinese to Hawaii was jointly offered by Representatives Tam, Leong, Apo, Say, Liu, Tom, Andrews, Cachola, Cavasso, Hagino, Hashimoto, Honda, Ikeda, Isbell, Kihano, Levin, Nakata, Okamura, Shito, Shon and Taniguchi.

A resolution (H.R. No. 340) requesting the Board of Land and Natural Resources to conduct an inventory of public lands under its jurisdiction to determine which sites are available for the Board to transfer or lease to the Hawaii Housing Authority for residential purposes for the elderly or handicapped, and requesting the Hawaii Housing Authority to obtain from the Board one or more of these sites and to lease such site or sites to an eleemosynary organization for housing for the elderly or handicapped was jointly offered by Representatives Say and Tam.

A resolution (H.R. No. 341) requesting the House Committee on Water, Land Use Development and Hawaiian Affairs to continue its review of the proposed State water code during the 1985 legislative interim was jointly offered by Representatives Say and Tam.

A concurrent resolution (H.C.R. No. 116) requesting the Board of Regents of the University of Hawaii to increase the graduate assistant positions at Manoa Campus was jointly offered by Representatives Shon, Apo, Grauly, Hagino, Honda, Levin, Lindsey, Morgado, Say and Yoshimura.

A concurrent resolution (H.C.R. No. 117) requesting the development of a program plan and organizational structure for a department of environmental affairs was jointly offered by Representatives Andrews, Okamura, Tom, Blair, Cachola, Crozier, Grauly, Hirono, Honda, Isbell, Jones, Kihano, Lardizabal, Liu, Nakata, Oshiro, Shon and Tam.

THIRD READING

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

S.B. No. 110, SD 1:

On motion by Representative Hashimoto, seconded by Representative Cachola and carried, S.B. No. 110, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

S.B. No. 62, SD 1:

On motion by Representative Bunda, seconded by Representative Kihano and carried, S.B. No. 62, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

S.B. No. 1240, SD 1:

On motion by Representative Grauly, seconded by Representative Tom and carried, S.B. No. 1240, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

The Chair directed the Clerk to note that S.B. Nos. 110, 62 and 1240 had passed Third Reading at 11:42 o'clock a.m.

S.B. No. 19, SD 1:

On motion by Representative Honda, seconded by Representative Nakata and carried, S.B. No. 19, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPORT OF FRUITS, VEGETABLES, NUTS, AND COFFEE", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

S.B. No. 1318, SD 1:

On motion by Representative Taniguchi, seconded by Representative Oshiro and carried, S.B. No. 1318, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLE", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

S.B. No. 194, SD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 194, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

The Chair directed the Clerk to note that S.B. Nos. 19, 1318 and 194 had passed Third Reading at 11:43 o'clock a.m.

S.B. No. 195:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 195, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

S.B. No. 191:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 191, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

S.B. No. 218, SD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 218, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEARING AID DEALERS AND FITTERS", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

The Chair directed the Clerk to note that S.B. Nos. 195, 191 and 218 had passed Third Reading at 11:44 o'clock a.m.

S.B. No. 193:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 193, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

S.B. No. 34, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 34, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE ACTIVITY BONDS", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

S.B. No. 479, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 479, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF TAXATION", passed Third Reading by a vote of 49 ayes, with Representatives Kamali'i and Nakasato being excused.

The Chair directed the Clerk to note that S.B. Nos. 193, 34 and 479 had passed Third Reading at 11:45

o'clock a.m.

ANNOUNCEMENTS

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

Representative Bunda: "Your Committee on Consumer Protection will have decision making on three Senate bills at 1:30 today in Room 416."

Representative Takamine: "Your Committee on Employment Opportunities and Labor Relations will be having a joint public hearing with the Committee on Public Employment and Government Operations on March 29th at 9:00 a.m. in Conference Room 310. This is to take up House Resolution 193. This will be followed by a public hearing by your Committee on Employment Opportunities and Labor Relations only on several resolutions. Decision making to follow if time permits."

Representative Kiyabu requested waiver of the 48-hour notice for hearings on bills referred to Finance and the Chair "so ordered."

Representative Kiyabu: "Mr. Speaker, at this time, I want to serve notice that we are holding a public hearing this afternoon at 2:00 p.m. Decision making to follow."

Representative Tajiri, at this time, requested permission to make a late introduction and directed by the Chair to "please proceed", introduced Lillian Nagatori, "a good friend and neighbor from Hilo."

ADJOURNMENT

At 11:47 o'clock a.m., on motion by Representative Okamura, seconded by Representative Ikeda and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, Friday, March 29, 1985.

FORTY-SIXTH DAY

Friday, March 29, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:10 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Sister Rose Lauren Earl, Director of the Natural Family Planning Center, after which the Roll was called showing all members present with the exception of Representatives Blair, Graulty, Jones, Levin, Lindsey, Morgado and Tam who were excused.

By unanimous consent, reading of the Journal was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. No. 93 and 93A) were read by the Clerk and disposed of as follows:

A message from the Governor (Gov. Msg. No. 93) informing the House that on March 28, 1985, he had signed H.B. No. 269 as Act 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS", was placed on file.

A message from the Governor (Gov. Msg. No. 93) informing the House that on March 28, 1985, he had signed H.B. No. 271 as Act 3, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was placed on file.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 371) was read by the Clerk and disposed of as follows:

A communication from the Senate (Sen. Com. No. 371) returning House Bill No. 275, HD1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on March 28, 1985, was placed on file.

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

Representative Crozier intro-

duced his "Italian daughter" Claudia Contasane and her two friends, Kim and Kelly Galbridge from Hawaii, and a very special friend, Sedar Dekin, formerly from Turkey and now living in Alaska.

Representative Oshiro introduced Mr. Stanley Tamashiro and his son, Stanley Tamashiro, Jr., who works in his office and was a former classmate from Campbell High School along with his son, Darryl, and some friends.

Representative Bunda introduced several girl scouts from Troop 177 from Wahiawa accompanied by Ms. Diane Melvin and their leader, Carmen Justice.

At 11:15 o'clock a.m., Representative Okamura asked for a recess, and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:16 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Levin and Jones.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

<u>S.B. No.</u>	<u>Re-referred to:</u>
-----------------	------------------------

197	Committee on Consumer Protection and Commerce
-----	---

<u>H.R. No.</u>	
-----------------	--

123	Jointly to the Committees on Corrections and Rehabilitation and Public Employment and Government Operations, then to the Committee on Finance
-----	---

<u>H.C.R. No.</u>	
-------------------	--

24	Jointly to the Committees on Corrections and Rehabilitation and Public Employment and Government Operations, then to the Committee on Finance
----	---

SUSPENSION OF RULES

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 348 to 351) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 348) recognizing and honoring Dr. Shiro Amioka for his many years of distinguished and outstanding service and contribution to the University of Hawaii, the State educational system and the people of Hawaii was jointly offered by Representatives Okamura, Kawakami, Anderson, Apo, Blair, Cachola, Crozier, Hagino, Honda, Ikeda, Isbell, Kawakami, Kihano, Leong, Metcalf, Morgado, Nakasato, Nakata, Onouye, Pfeil, Shon, Souki, Tajiri, Taniguchi and Yoshimura.

On motion by Representative Okamura, seconded by Representative Levin and carried, H.R. No. 348 was adopted.

Representative Okamura rose and stated:

"Mr. Speaker and Members of the House: You know oftentimes when an individual retires, he or she leaves the work place with a handshake from their colleagues for the years spent just doing their job.

"However, once in a great while, we have the privilege of meeting or hearing about an individual whose work was not "just a job" but a lifelong goal or part of a lifestyle in a never-ending search for excellence.

"Dr. Shiro Amioka is such a man. As a leader among leaders, Dr. Amioka, our retiring honoree here with us today, truly made a difference in the lives of the people he met and worked with. He even made a tremendous difference in the lives of people he never met through his outstanding contributions in the field of public education.

"Many of us who are here as members of the State Legislature today, are the recipients of the dedication and hard work of Dr. Amioka.

"Dr. Amioka began his career in the late 1950's and was instrumental in the revolutionary changes that later took place to the philosophy of education which occurred during the early political career days of the late John A. Burns.

"In preparing for my remarks here this morning, I was informed of some of the comments made by fellow administrators, teachers and staff members who served with Dr. Amioka

over the years.

"Here is a sampling of their comments: 'tough, dedicated and respected, always demanded excellence, the students always came first, always made time for his people and perhaps the most fitting and most simple tribute of all -- a humanitarian.'

"Today we extend our warmest aloha to Dr. Amioka, and express our appreciation to him for his years of dedicated and progressive hard work and latest philanthropic endowments to the University of Hawaii's College of Education.

"With Dr. Amioka today is his faithful wife, Toshiko Amioka, who should be honored in her own right for accomplishments as an artist and a former member of the internationally famous Takarazuka Dance Troupe in Japan, and we thank Mrs. Amioka for her support which made possible Dr. Amioka's contributions to the people of Hawaii."

At this time, Representative Okamura introduced Dr. and Mrs. Amioka, and they were asked to stand and be recognized.

A white carnation lei was presented to Dr. Amioka by Representative Ikeda who was a former student of his, and a red carnation lei was presented to Mrs. Amioka by Representative Kawakami; and Representative Okamura presented the honoree with a certified copy of the resolution.

Also recognized by Representative Okamura and asked to stand and be recognized were guests who were here to honor Dr. Amioka and were seated in the gallery. They are as follows: Mr. Alan Ah Sen, who is the Director of Administrative Services of the University of Hawaii College of Education; Dr. Peter Dunrankin, acting Dean of the College of Education; Dr. Doris Ching, a very dear friend and acting Associate Dean of the College of Education; Mr. Tatsuke "Pepper" Shiramizu, Secretary for the Board of Regents; and Mr. Dan Ishii, member of the Board of Regents.

A resolution (H.R. No. 349) in honor of the visit of the Commandant of the Coast Guard, Admiral James Steele Gracey, was jointly offered by Representatives Marumoto, Kawakami, Anderson, Crozier, Grauly, Hemmings, Honda, Ikeda, Isbell, Kihano, Lardizabal, Leong, Metcalf, Morgado, Pfeil, Say, Shito, Shon, Tungpalan

and Yoshimura.

On motion by Representative Marumoto, seconded by Representative Kawakami and carried, H.R. No. 349 was adopted.

A resolution (H.R. No. 350) recognizing the contributions of Rear Admiral Clyde E. Robbins to the Coast Guard and to the people of Hawaii was jointly offered by Representatives Marumoto, Kawakami, Anderson, Bunda, Crozier, Graulty, Hemmings, Honda, Ikeda, Isbell, Kihano, Lardizabal, Leong, Metcalf, Morgado, Pfeil, Say, Shito, Shon, Tungpalan and Yoshimura.

On motion by Representative Marumoto, seconded by Representative Kawakami and carried, H.R. No. 350 was adopted.

Representative Marumoto then rose and stated:

"The island state of Hawaii has miles and miles of shoreline, and because of this we are more reliant on the Coast Guard for their services in a way that a state such as Nebraska could never appreciate. We are indebted to the U.S. Department of Transportation for providing us with their valuable services.

"We are happy to have some distinguished Coast Guard guests today so that we are able to personally thank them for their assistance.

"As a member of the Defense Advisory Committee on Women in the Services, I have had the pleasure of meeting our guests. Through the work of this committee, I have learned that, like the military branches, the Coast Guard has many women serving in its ranks. However, unlike the other services, the Coast Guard has no restrictions on the role women can play. They are allowed to fully participate in all duties -- on land and on sea.

"One of our guests is the National Commandant of the Coast Guard, Admiral James Steele Gracey. He is recognized as a great leader and as one who is committed to allowing women to make full use of the opportunities afforded them in the Coast Guard; and I am happy to recognize him this morning for his efforts in this regard.

"Admiral and Mrs. Gracey are visiting us from Washington and it is an honor to have them grace our presence this morning in the House of

Representatives.

At this time, Admiral and Mrs. Gracey were introduced to the members of the House and were asked to stand and be recognized.

"Admiral Clyde Robbins has been serving in the 14th Coast Guard District. He has done a tremendous job here and we understand he will be transferred back to Washington D.C. He and his wife, Betty, has made a lot of friends here and are very popular. We wish them well in their new tour."

Representative Marumoto then asked Admiral and Mrs. Robbins to stand and be recognized.

At this time, red carnation leis were presented to Admiral Robbins by Representative Ikeda and to Admiral Gracey by Representative Isbell and white carnation leis were presented to Mrs. Robbins by Representative Jones and to Mrs. Gracey by Representative Medeiros. Certified copies of the resolutions were presented to the honorees by Representatives Marumoto and Kawakami.

A resolution (H.R. No. 351) congratulating Coach Harold Han and the Manoa Paniolos for winning the national championship of the Pop Warner Midget division was jointly offered by Representatives Taniguchi, Cavasso, Graulty, Honda, Kawakami, Kihano, Levin, Lindsey, Metcalf, Okamura, Oshiro, Pfeil, Shito, Shon, Souki, Tajiri, Takamine, Tam, Tom, Tungpalan and Yoshimura.

On motion by Representative Taniguchi, seconded by Representative Okamura and carried, H.R. No. 351 was adopted.

Representative Taniguchi then rose and stated:

"Mr. Speaker, Mr. Harold Han has been coaching the Manoa Paniolos for 14 years. He spends much of his time with these young men in order to ensure that they all try their best in physical competition, as well as in scholastic achievement.

"The sponsor of the Pop Warner event is the Russell Corporation, a national sports equipment manufacturer.

"The teams competing for the championship must meet two requirements. The first is to be the winner of their respective divisions, and the second, to have the best scholastic

profile among others who also hope to compete. Because the only divisions involved are the north and the south, only two teams in the entire nation can be selected for competing in the championship game. There are no playoffs as which most of us are familiar with.

"In December of last year, Coach Han, his staff, and 35 members of the Manoa Paniolos and their parents, travelled to Alexander City, Alabama, in order to compete in the Russell Athletic Bowl, the "Super Bowl" of youth football. And on Saturday, December 8, 1984, the Manoa Paniolos won the national championship of the Pop Warner Midget Division.

"At this time I would like to present to you, Coach Harold Han, his assistant coach, Mr. Yoshiji Asami, Team Captains, David Yamaguchi, Grant Odo, Satini Liufau, Guy Fujiwara, Kerry Higa and Kevin Hoshino." All were asked to stand and be recognized.

Floral leis were presented to the honorees by Representatives Hashimoto, Hirono, Kim, Ikeda, Isbell and Tungpalan and Representative Taniguchi presented the honorees with certified copies of the resolution.

Also recognized by Representative Taniguchi and asked to stand were Mrs. Han and friends and relatives of the honorees who were seated in the gallery.

At 11:38 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 as well as welcome to our honorees this morning."

Upon reconvening at 11:55 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Blair, Morgado and Tam.

STANDING COMMITTEE REPORTS

Representative Gaulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 814) recommending that H.R. No. 153, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Leong, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.R. No. 153, HD1, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO

WORK TOWARD ESTABLISHMENT OF A FEDERAL PROGRAM UNDER WHICH THE FEDERAL GOVERNMENT SHARES IN THE COST OF PROVIDING CHILD ABUSE AND NEGLECT SERVICES TO MILITARY PERSONNEL AND THEIR DEPENDENTS", was referred to the Committee on Finance.

Representative Gaulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 815) recommending that H.R. No. 184, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Leong, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.R. No. 184, HD1, entitled: "HOUSE RESOLUTION SUPPORTING MEDICAID REIMBURSEMENT SCHEDULES FOR NONINSTITUTIONAL PROVIDERS WHICH PROVIDE ADEQUATE AMOUNTS OF REIMBURSEMENTS FOR MEDICAL SERVICES AND ITEMS", was referred to the Committee on Finance.

Representative Gaulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 816) recommending that H.C.R. No. 50, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Leong, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.C.R. No. 50, HD1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING MEDICAID REIMBURSEMENTS SCHEDULES FOR NONINSTITUTIONAL PROVIDERS WHICH PROVIDE ADEQUATE AMOUNTS OF REIMBURSEMENTS FOR MEDICAL SERVICES AND ITEMS", was referred to the Committee on Finance.

Representative Nakasato, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 817) recommending that H.R. No. 201 be referred to the Committee on Legislative Management.

On motion by Representative Nakasato, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and H.R. No. 201, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE EXPANSION OF THE ROLE AND IMPROVEMENT OF THE OPERATION OF THE HAWAII VISITORS BUREAU", was referred to the Committee on Legislative Management.

Representative Nakasato, for the Committee on Tourism, presented a

report (Stand. Com. Rep. No. 818) recommending that H.C.R. No. 56, as amended in HD1, be referred to the Committee on Legislative Management.

On motion by Representative Nakasato, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and H.C.R. No. 56, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EXPANSION OF THE ROLE AND IMPROVEMENT OF THE OPERATION OF THE HAWAII VISITORS BUREAU", was referred to the Committee on Legislative Management.

Representatives Andrews and Yoshimura, for the Committees on Planning, Energy and Environmental Protection and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 819) recommending that H.C.R. No. 47 be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Apo and carried, the joint report of the Committees was adopted and H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PROGRAM AND MANAGEMENT AUDIT OF STATE ENVIRONMENTAL PROTECTION PROGRAMS", was referred to the Committee on Finance.

Representative Gaulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 820) recommending that H.R. No. 269, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Leong, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.R. 269, HD1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF EXPANDING THE AVAILABILITY OF HEALTH CARE PLANS UNDER MEDICAID", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 342 to 347 and 352 to 360) and concurrent resolution (H.C.R. No. 118 and 119) were referred to the Committee on Legislative Management and further action was deferred.

A resolution (H.R. No. 342) requesting the Department of Transportation to re-assess the necessity for a

carpool lane on Moanalua Freeway was jointly offered by Representatives Hashimoto, Apo, Bunda, Kihano, Leong, Morgado, Okamura, Oshiro, Shito, Tajiri and Tungpalan.

A resolution (H.R. No. 343) requesting a study of the possible placement of the ad valorem liquor tax with a gallonage liquor tax was jointly offered by Representatives Kawakami, Andrews, Apo, Cachola, Gaulty, Honda, Ige, Kihano, Leong, Lindsey, Nakata, Okamura, Say, Souki, Tam and Yoshimura.

A resolution (H.R. No. 344) requesting the University of Hawaii to prepare a report on the status of women faculty members was jointly offered by Representatives Levin, Cachola, Hagino, Morgado, Onouye, Shon and Yoshimura.

A resolution (H.R. No. 345) requesting the State Department of Transportation to review and evaluate its rules and standards relating to special school vehicle safety inspections was jointly offered by Representatives Levin, Hagino, Isbell, Lindsey, Metcalf, Tajiri and Takamine.

A resolution (H.R. No. 346) requesting the Department of Education, in consultation with the University of Hawaii College of Education and the University of Hawaii at Manoa Computing Center, to develop a plan to use the Plato computer-based instructional system in Hawaii's public schools was jointly offered by Representatives Levin, Isbell, Lindsey, Metcalf, Morgado, Onouye, Tajiri and Yoshimura.

A resolution (H.R. No. 347) requesting the University of Hawaii Sea Grant College Program to study the idea of developing a commercial fisherman's handbook was jointly offered by Representatives Apo, Shon and Hagino.

A resolution (H.R. No. 352) requesting the concept of the Festival Market Plan be reconsidered by the Aloha Tower Development Corporation was jointly offered by Representatives Hirono, Apo, Blair, Bunda, Hagino, Okamura, Pfeil, Shon and Tom.

A resolution (H.R. No. 353) requesting the encouragement of increased use of cable television's public access technology was jointly offered by Representatives Lardizabal, Apo, Bunda, Gaulty, Hashimoto, Hirono, Ikeda, Isbell, Leong, Marumoto, Menor, Morgado, Nakasato, Nakata, Shon, Takamine, Tam, Tungpalan and

Yoshimura.

A resolution (H.R. No. 354) requesting a study on gender differentiation in insurance rates was jointly offered by Representatives Lardizabal, Apo, Bunda, Graulty, Hashimoto, Hirono, Ikeda, Leong, Marumoto, Morgado, Nakasato, Nakata, Shon, Takamine, Tam and Tungpalan.

A resolution (H.R. No. 355) requesting a study of alternative detention facilities for illegal aliens in the State was jointly offered by Representatives Lardizabal, Apo, Bunda, Graulty, Hirono, Ikeda, Isbell, Leong, Marumoto, Menor, Morgado, Nakasato, Nakata, Shon, Souki, Takamine, Tam and Tungpalan.

A resolution (H.R. No. 356) requesting a study on the feasibility of establishing an entrepreneurial program to aid unemployed persons who qualify for unemployment compensation was jointly offered by Representatives Lardizabal, Apo, Bunda, Graulty, Hirono, Ikeda, Isbell, Leong, Menor, Morgado, Nakasato, Shon, Tam, Tungpalan and Yoshimura.

A resolution (H.R. No. 357) requesting the Department of Planning and Economic Development to update the study on "Honolulu as a headquarters site for the Pacific Area Travel Association." was jointly offered by Representatives Nakasato and Lardizabal.

A resolution (H.R. No. 358) requesting the House Committee on Tourism to investigate the recent trends in transition of hotel ownership and management in Hawaii was jointly offered by Representatives Nakasato and Lardizabal.

A resolution (H.R. No. 359) urging Congress to allow the State of Hawaii to acquire land at Fort DeRussy was jointly offered by Representatives Nakasato, Anderson and Lardizabal.

A resolution (H.R. No. 360) requesting a study to improve the traffic flow from the H-1 Waimalu Exit 10 to Moanalua Road, Diamond Head bound was jointly offered by Representatives Tungpalan, Blair, Hagino, Hashimoto, Hemmings, Hirono, Ige, Isbell, Kihano, Leong, Levin, Menor, Metcalf, Morgado, Onouye, Oshiro, Shon, Takamine, Tam and Taniguchi.

A concurrent resolution (H.C.R. No. 118) requesting a study of the possible replacement of the ad valorem liquor tax with a gallonage liquor tax was jointly offered by

Representatives Kawakami, Andrews, Apo, Cachola, Graulty, Honda, Ige, Kihano, Leong, Lindsey, Nakata, Okamura, Say, Souki, Tam and Yoshimura.

A concurrent resolution (H.C.R. No. 119) requesting the concept of the Festival Market Plan be reconsidered by the Aloha Tower Development Corporation was jointly offered by Representatives Hirono, Apo, Blair, Bunda, Hagino, Okamura, Pfeil, Shon and Tom.

SUSPENSION OF RULES

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

THIRD READING

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

S.B. No. 93, HD1:

On motion by Representative Apo, seconded by Representative Shon and carried, S.B. No. 93, HD1, entitled: "A BILL FOR AN ACT RELATING TO FISH CATCH REPORTS", passed Third Reading by a vote of 49 ayes, with Representatives Graulty and Lindsey being excused.

The Chair directed the Clerk to note that S.B. No. 93 had passed Third Reading at 11:56 o'clock a.m.

S.B. No. 1224, SD1, HD1:

Representative Pfeil moved that S.B. No. 1224, SD1, HD1, having been read throughout, pass Third Reading, seconded by Representative Shon.

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

"I'd like to premise my remarks by saying this particular bill is perhaps not what I'm speaking to so much as to what it represents. I could be saying the same remarks about hundreds of other bills that have come before us this year and in previous years.

"I guess my remarks, Mr. Speaker, are basically addressed to the func-

tion of the Legislature which, I feel, is not as much a deliberative body as it is, or as it should be, and it's becoming somewhat away for the department to adopt rules and regulations without inconveniencing their own staff.

"I have this image in my mind at the moment, Mr. Speaker, of Gulliver's Travels where he was pinned down by the Lilliputians, and I feel our own efforts as a Legislature are somewhat inhibited by the fact that we often find ourselves dealing with rather small issues; and if we are going to be a truly policy-making body, and a truly deliberative body, it's incumbent upon us to assign to ourselves a proper role and not allow the departments to foist off upon us the issues that they choose not to deal with or for whatever reasons, don't want to adopt by rules and regulations. I don't mean to blame the departments because I think incrementally, we've sort of taken this upon ourselves that we'll deal with these small issues and we do a better job of it apparently than the departments do and it's convenient for everyone to come in and address their concerns; but to the extent that we deal with a lot of these little issues, it really takes away our time and unfocuses our efforts from the policy-making issues that I would like to see us really deliberating on; it clogs our legislative system and, Mr. Speaker, I would just make those comments and I hope that -- I know I will be trying myself in the future to make greater efforts not to introduce bills like this where it is a matter that I guess, we could instead, make explicit amendments to the statute giving clearer authority to the department to enact regulations within a specific area. Then if the department, for whatever reason, isn't able to accomplish it, or there is a problem perceived in the way they have done it, we could handle it by a resolution. We wouldn't constantly be passing bills that really don't have any significant policy or consideration, and in my own opinion, are not the sort of things we should be spending our time on, but I think I'm as much to blame -- I think if I look back on my own record on bill introductions, I'm certainly as guilty as anyone else in the Legislature of this.

"This is really not a comment on the merits of this particular bill as it is, I guess, but a public confession of my own culpability and my hope that my colleagues will join me in an effort to try and avoid putting ourselves into this position in the

future, and try and put the load back on the departments to adopt by rule and regulation the non-policy questions that have come before us.

"Thank you, Mr. Speaker."

Representative Apo then rose to speak in support of the motion, stating:

"Briefly, I'd like to note for the record that I concur with Representative Blair's comments and analysis and that the Ocean and Marine Committee is going to be taking steps in the interim to take a look at the issue, and hopefully the scenario we would like to set is that, in the future, at least in commercial fishing area when we are looking at items that really should be coming to us through rules and regulations, that we would address any changes and additions by use of a resolution.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and S.B. No. 1224, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", having been read throughout, passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Bunda and Yoshimura registering no votes and Representatives Graulty and Lindsey being excused.

S.B. No. 132, SD1, HD1:

On motion by Representative Taniguchi, seconded by Representative Oshiro and carried, S.B. No. 132, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO LIGHTS FOR MOTOR VEHICLES, MOTORCYCLES, MOTOR SCOOTERS, MOTORIZED BICYCLES", passed Third Reading by a vote of 49 ayes, with Representatives Graulty and Lindsey being excused.

S.B. No. 1365, SD1, HD1:

On motion by Representative Taniguchi, seconded by Representative Oshiro and carried, S.B. No. 1365, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE", passed Third Reading by a vote of 49 ayes, with Representatives Graulty and Lindsey being excused.

The Chair directed the Clerk to note that S.B. Nos. 1224, 132 and 1365 had passed Third Reading at 12:02 o'clock p.m.

S.B. No. 189, SD1, HD1:

On motion by Representative Shito, seconded by Representative Hirono and carried, S.B. No. 189, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", passed Third Reading by a vote of 49 ayes, with Representatives Gaulty and Lindsey being excused.

S.B. No. 35, HD1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 35, HD1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII", passed Third Reading by a vote of 49 ayes, with Representatives Gaulty and Lindsey being excused.

The Chair directed the Clerk to note that S.B. Nos. 189 and 35 had passed Third Reading at 12:03 o'clock p.m.

At 12:04 o'clock p.m. the Chair declared a recess, subject to the call of the Chair.

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

ANNOUNCEMENTS

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

Representative Shon: "Next Monday morning, your Committee on Ocean and Marine Resources will have a status report by the University Undersea Research Program, especially focusing on the use of deep-sea submersibles and opportunities to acquire some of these for the state of Hawaii and so that all can attend, we will not begin until 9:00."

Representative Cachola on a late introduction, introduced Mr. Matsushige Yamamoto, a "friend of mine and a boarder from the Japanese community."

Representative Souki: "Your Committee on Finance will be holding a meeting today at 2:00 p.m. with decision making to follow."

Representative Okamura on a late introduction and on behalf of Representatives Ikeda and all 1978 Con-con delegates -- Representatives Crozier, Hashimoto, Souki, Marumoto, Liu, Shon and himself, introduced a fellow Con-con delegate, Mr. Dave Stegmeier."

Representative Shito: "I would like to have all of the Consumer Protection Committee members before they leave today, I have some more committee reports. Check with my office, please."

Representative Ikeda: "There will be a short Republican caucus immediately following session."

The Chair then reminded all members "to make themselves available for the purposes of signing committee reports. Today is the last day for decking."

At 12:12 o'clock p.m. the Chair declared the House in recess until 8:00 o'clock p.m.

NIGHT SESSION

The House of Representatives reconvened at 9:16 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 821) recommending that S.B. No. 937, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 821 on S.B. No. 937 SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 937, SD2, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 822) recommending that S.B. No. 1170, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 822 on S.B. No. 1170, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1170, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 823) recommending that S.B. No. 1286, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 823 on S.B. No. 1286, SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1286, SD2, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 824) recommending that S.B. No. 1299, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 824 on S.B. No. 1299, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1299, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 825) recommending that S.B. No. 20, SD1, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 825 on S.B. No. 20, SD1, HD1, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 20, SD1, HD1, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 826) recommending that S.B. No. 95, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 826 on S.B. No. 95, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 95, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 827) recommending that S.B. No. 153, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 827 on S.B. No. 153, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 153, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 828) recommending that S.B. No. 236, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 828 on S.B. No. 236, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 236, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 829) recommending that S.B. No. 64, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 829 on S.B. No. 64, SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 64, SD2, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 830) recommending that S.B. No. 78, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 830 on S.B. No. 78, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 78, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 831) recommending that S.B. No. 726, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 831 on S.B. No. 726, SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 726, SD2, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 832) recommending that S.B. No. 592, SD1 as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 832 on S.B. No. 592, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 592, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 833) recommending that S.B. No. 665, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 833 on S.B. No. 665, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 665, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 834) recommending that S.B. No. 702, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 834 on S.B. No. 702, SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 702, SD2, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 835) recommending that S.B. No. 1487, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 835 on S.B. No. 1487, SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1487, SD2, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 836) recommending that S.B. No. 1358, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 836 on S.B. No. 1358, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1358, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 837) recommending that S.B. No. 1354, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 837 on S.B. No. 1354, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1354, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 838) recommending that S.B. No. 732, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 838 on S.B. No. 732, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 732, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 839) recommending that S.B. No. 113, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 839 on S.B. No. 113, SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 113, SD2, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 840) recommending that S.B. No. 459, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 840 on S.B. No. 459, SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 459, SD2, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 841) recommending that S.B. No. 338, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 841 on S.B. No. 338, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 338, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 842) recommending that S.B. No. 460, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 842 on S.B. No. 460, SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 460, SD2, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 843) recommending that S.B. No. 463, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 843 on S.B. No. 463, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 463, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 844) recommending that S.B. No. 217, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 217, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO PODIATRY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 845) recommending that S.B. No. 1175, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 1175, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO INSTALLMENT SALES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 846) recommending that S.B. No. 201, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 201, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand.

Com. Rep. No. 847) recommending that S.B. No. 932, SD1, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 847 on S.B. No. 932, SD1, HD1, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 932, SD1, HD1, were made available to the members of the House at 9:16 o'clock p.m.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 848) recommending that S.B. No. 454, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 454, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 849) recommending that S.B. No. 1144, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 1144, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 850) recommending that S.B. No. 1130, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 1130, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", passed Second Reading and was placed on the calendar for Third

Reading with Representative Takamine registering a no vote.

Representative Shito, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 851) recommending that S.B. No. 669, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the majority of the Committee was adopted and S.B. No. 669, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 852) recommending that S.B. No. 1231, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 1231, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 853) recommending that S.B. No. 1270, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 1270, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 854) recommending that S.B. No. 1138, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda

and carried, the report of the Committee was adopted and S.B. No. 1138, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Shito and Hashimoto, for the Committee on Consumer Protection and Commerce and Housing, presented a joint report (Stand. Com. Rep. No. 855) recommending that S.B. No. 224, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Cachola and carried, the report of the Committee was adopted and S.B. No. 224, HD1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 856) recommending that S.B. No. 644, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Tom moved that the report of the majority of the Committee be adopted and S.B. No. 644, SD1, HD1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Blair.

Representative Cavasso rose to speak against the bill, stating:

"It seems to me that we, in the House, are seeking to discourage drunken driving and such, and in some sense this might allow alcoholic beverages or cans or something to be placed in an automobile, and we are asking our police to stop cars; and when they look in the car to see a can of beer or something on the floor, they have the prerogative of arresting the people at this point; and this bill seems to be going backwards, so I register a no vote on this, Mr. Speaker."

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and S.B. No. 644, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS", passed Second Reading and was

placed on the calendar Third Reading with Representative Cavasso registering a no vote.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 857) recommending that S.B. No. 253, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 253, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 858) recommending that S.B. No. 76, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 76, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 859) recommending that S.B. No. 461, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 461, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 860) recommending that S.B. No. 1155, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 1155, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS", passed

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

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 861) recommending that S.B. No. 1404, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 1404, HD1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT TRANSFERS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 862) recommending that S.B. No. 377, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 377, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 863) recommending that S.B. No. 1408, SD2, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 1408, SD2, HD1, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 864) recommending that S.B. No. 588, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 588, SD1, HD1, entitled: "A BILL FOR AN ACT

RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Shito and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 865) recommending that S.B. No. 539, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Tom and carried, the joint report of the Committees was adopted and S.B. No. 539, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO ALARM BUSINESSES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 866) recommending that S.B. No. 327, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 327, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPAIRATIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Apo and Say, for the Committees on Ocean and Marine Resources and Water, Land Use Development and Hawaiian Affairs presented a joint report (Stand. Com. Rep. No. 867) recommending that S.B. No. 1310, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Apo, seconded by Representative Tam and carried, the joint report of the Committees was adopted and S.B. No. 1310, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO REPLACEMENT OF ERODED SAND ON PUBLIC BEACHES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 868)

recommending that S.B. No. 1196, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tam, seconded by Representative Apo and carried, the report of the Committee was adopted and S.B. No. 1196, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 869) recommending that S.B. No. 1223, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tam, seconded by Representative Apo and carried, the report of the Committee was adopted and S.B. No. 1223, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 870) recommending that S.B. No. 280, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tam, seconded by Representative Apo and carried, the report of the Committee was adopted and S.B. No. 280, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 871) recommending that S.B. No. 404, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tam, seconded by Representative Apo and carried, the report of the Committee was adopted and S.B. No. 404, HD1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920", passed Second Reading and was placed on

the calendar for Third Reading.

Representatives Say and Hashimoto, for the Committees on Water, Land Use Development and Hawaiian Affairs and Housing, presented a joint report (Stand. Com. Rep. No. 872) recommending that S.B. No. 235, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tam, seconded by Representative Apo and carried, the joint report of the Committees was adopted and S.B. No. 235, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 873) recommending that S.B. No. 468, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tam, seconded by Representative Apo and carried, the report of the Committee was adopted and S.B. No. 468, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Andrews and Honda, for the Committees on Planning, Energy and Environmental Protection and Agriculture, presented a joint report (Stand. Com. Rep. No. 874) recommending that S.B. No. 1353, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakata, seconded by Representative Tom and carried, the joint report of the Committees was adopted and S.B. No. 1353, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Andrews and Apo, for the Committees on Planning, Energy and Environmental Protection and Ocean and Marine Resources, presented a joint report (Stand. Com. Rep. No. 875) recommending that S.B. No. 86, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third

Reading.

On motion by Representative Apo, seconded by Representative Tom and carried, the joint report of the Committees was adopted and S.B. No. 86, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENVIRONMENTAL POLICY", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Andrews and Say, for the Committees on Planning, Energy and Environmental Protection and Water, Land Use Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 876) recommending that S.B. No. 149, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Apo and carried, the joint report of the Committees was adopted and S.B. No. 149, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 877) recommending that S.B. No. 70, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Apo and carried, the report of the Committee was adopted and S.B. No. 70, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Andrews and Tom, for the Committees on Planning, Energy and Environmental Protection and Judiciary, presented a joint report (Stand. Com. Rep. No. 878) recommending that S.B. No. 775, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Apo and carried, the joint report of the Committees was adopted and S.B. No. 775, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL", passed Second Reading and was placed on the calendar for Third Reading.

Representative Yoshimura, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 879) recommending that S.B. No. 462, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kim, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.B. No. 462, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO TERMS OF BOARDS AND COMMISSIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Hashimoto and Andrews, for the majority of the Committees on Housing and Planning, Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 880) recommending that S.B. No. 234, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Cachola, seconded by Representative Tom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 234, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Tom and Menor, for the Committees on Judiciary and Corrections and Rehabilitation, presented a joint report (Stand. Com. Rep. No. 881) recommending that S.B. No. 249, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Tom moved that the joint report of the Committees be adopted and S.B. No. 249, SD1, HD1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Menor.

Representative Liu then rose to speak in favor of the bill with some reservations, stating:

"I would hope that the rest of the colleagues would take a closer look at this bill before Third Reading because I have some concerns that the language in the committee report may not be strong enough to clarify that the prosecutor's office can, will be able to use the reports, in fact, the language of the bill notwithstanding.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, the joint report of the Committees was adopted and S.B. No. 249, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF ADULT PROBATION RECORDS", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Shito and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 882) recommending that S.B. No. 735, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Tom and carried, the joint report of the Committees was adopted and S.B. No. 735, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO CHECKS", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Bunda and Morgado, for the Committees on Health and Education, presented a joint report (Stand. Com. Rep. No. 883) recommending that S.B. No. 59, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Bunda, seconded by Representative Shon and carried, the joint report of the Committees was adopted and S.B. No. 59, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION FOR SCHOOL ATTENDANCE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Gaulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 884) recommending that S.B. No. 99, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Leong, seconded by Representative Kihano and carried, the report of the Committee was adopted and S.B. No. 99, HD1, entitled: "A BILL FOR AN ACT RELATING TO INDIGENT BURIALS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Gaulty, for the

Committee on Human Services, presented a report (Stand. Com. Rep. No. 885) recommending that S.B. No. 102, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Leong, seconded by Representative Kihano and carried, the report of the Committee was adopted and S.B. No. 102, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Taniguchi and Say, for the Committees on Transportation and Water, Land Use Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 886) recommending that S.B. No. 163, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Oshiro, seconded by Representative Tam and carried, the joint report of the Committees was adopted and S.B. No. 163, HD1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 887) recommending that S.B. No. 854, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Oshiro, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.B. No. 854, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTIONS OF MOTOR CARRIER VEHICLES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 888) recommending that S.B. No. 1264, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Oshiro, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.B. No. 1264, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO

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

The Chair directed the Clerk to note that printed copies of S.B. Nos. 217, SD1, HD1; 1175, SD1, HD1; 201, SD1, HD1; 932, SD1, HD1; 454, SD1, HD1; 1144, SD1, HD1; 1130, SD1, HD1; 669, SD1, HD1; 1231, SD1, HD1; 1270, SD1, SD1; 1138, SD1, HD1; 224, HD1; 644, SD1, HD1; 253, SD1, HD1; 76, SD1, HD1; 461, SD1, HD1; 1155, SD1, HD1; 1404, HD1; 377, SD1, HD1; 1408, SD2, HD1; 588, SD1, HD1; 539, SD1, HD1; 327, SD1, HD1; 1310, SD1, HD1; 1196, SD1, HD1; 1223, HD1; 280, SD1, HD1; 404, HD1; 235, SD1, HD1; 468, HD1; 1353, SD1, HD1; 86, SD1, HD1; 149, SD1, HD1; 70, SD1, HD1; 775, SD1, HD1; 462, SD1, HD1; 234, SD1, HD1; 249, SD1, HD1; 735, SD1, HD1; 59, SD1, HD1; 99, HD1; 102, HD1; 163, HD1; 854, SD1, HD1; and 1264, SD1, HD1, were made available to the members of the House at 9:16 o'clock p.m.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 889) recommending that S.B. No. 1413, SD1, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 889 on S.B. No. 1413, SD1, HD1, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1413, SD1, HD1, were made available to the members of the House at 9:16 o'clock p.m.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 890) recommending that S.B. No. 615, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 890 on S.B. No. 615, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 615, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 891) recommending that S.B. No. 1127, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 891 on S.B. No. 1127, SD1, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1127, SD1, HD2, were made available to the members of the House at 9:16 o'clock p.m.

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

Upon reconvening at 10:20 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Graulty.

Representatives Menor and Graulty, for the Committees on Corrections and Rehabilitation and Human Services, presented a joint report (Stand. Com. Rep. No. 892) recommending that S.B. No. 1157, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Menor, seconded by Representative Graulty and carried, the joint report of the Committees was adopted and S.B. No. 1157, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 893) recommending that S.B. No. 558, SD2, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 558, SD2, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 894) recommending that S.B. No. 1089, SD2, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No.

1089, SD2, HD1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATIONS FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND GOODFELLOW BROS., INC.", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 895) recommending that S.B. No. 237, SD2, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 237, SD2, HD1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 896) recommending that S.B. No. 115, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 115, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 897) recommending that S.B. No. 239, SD2, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 239, SD2, HD1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 898) recommending that S.B. No. 384, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 384, HD1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 899) recommending that S.B. No. 1057, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1057, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 1157, SD1, HD1; 558, SD2, HD1; 1089, SD2, HD1; 237, SD2, HD1; 115, SD1, HD1; 239, SD2, HD1; 384, HD1; and 1057, SD1, HD1 were made available to the members of the House at 10:20 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 900) recommending that S.B. No. 1185, SD1, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 900 on S.B. No. 1185, SD1, HD1, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1185, SD1, HD1, were made available to the members of the House at 10:20 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 901) recommending that S.B. No. 1287, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 901 on S.B. No. 1287, SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1287, SD2, HD2, were made available to the members of the House

at 10:20 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 902) recommending that S.B. No. 1186, SD2, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 902 on S.B. No. 1186, SD2, HD1, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1186, SD2, HD1, were made available to the members of the House at 10:20 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 903) recommending that S.B. No. 1193, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 903 on S.B. No. 1193, SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1193, SD2, HD2, were made available to the members of the House at 10:20 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 904) recommending that S.B. No. 83, SD2, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 904 on S.B. No. 83, SD2, HD1, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 83, SD2, HD1, were made available to the members of the House at 10:20 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 905) recommending that S.B. No. 170, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 905 on S.B. No. 170, SD2, HD2, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 170, SD2, HD2, were made

available to the members of the House at 10:20 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 906) recommending that S.B. No. 471, SD2, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 906 on S.B. No. 471, SD2, HD1, was deferred until Monday, April 1, 1985, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 471, SD2, HD1, were made available to the members of the House at 10:20 o'clock p.m.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 907) recommending that S.B. No. 662, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 662, HD1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 908) recommending that S.B. No. 309, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 309, SD1, HD1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FOR MOTOR VEHICLES AND OTHER VEHICLES", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 662, HD1 and 309, SD1, HD1, were made available to the members of the House at 10:20 o'clock p.m.

At 10:22 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives

reconvened at 10:23 o'clock p.m.

ANNOUNCEMENTS

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

Representative Kawakami: "There will be an open Majority caucus on Monday morning beginning at 8:00 a.m."

Representative Ikeda: "Your

Republican members will be holding a caucus at 9:00 a.m. on Monday morning."

ADJOURNMENT

At 10:23 o'clock p.m., on motion by Representative Okamura, seconded by Representative Ikeda and carried, the House of Representatives adjourned until 11:30 o'clock a.m., Monday, April 1, 1985.

FORTY-SEVENTH DAY

Monday, April 1, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 12:05 o'clock p.m., with the Speaker presiding.

The Divine Blessing was invoked by Ms. Nancy Lewis of the First Church of Christian Scientist, after which the Roll was called showing all members present with the exception of Representatives Hirono and Morgado, who were excused.

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

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

Representative Marumoto introduced the Honorable Stan Statham, Assemblyman of the California State Legislature, who is here "researching the Hawaii Legislature."

Representative Apo introduced Mr. Yip, Mr. Leroy Holley and Mr. Alvin Shim, who were seated in the gallery.

At this time, the Chair directed the Clerk to note the presence of Representative Hirono.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

The following Senate bill was re-referred as follows:

S.B. No. Re-referred to:

182 Committee on Consumer
Protection and Commerce

SUSPENSION OF RULES

On motion by Representative Okamura, seconded by Representative Ikeda 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. 821 on S.B. No. 937, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 937, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Hashimoto voting no, and Representative Morgado being excused.

Stand. Com. Rep. No. 822 on S.B. No. 1170, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1170, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Morgado being excused.

The Chair directed the Clerk to note that S.B. Nos. 937 and 1170 had passed Third Reading at 12:12 o'clock p.m.

Stand. Com. Rep. No. 823 on S.B. No. 1286, SD 2, HD 2:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 1286, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Souki.

Representative Kim then rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill but with some reservations.

"My reservations is that, currently, of the 13 percent of the University of Hawaii's tuition waivers and scholarships, 8 percent of that is guaranteed to Hawaii residents with 5 percent going to non-residents and to foreign students. This bill will eliminate this 8 percent guarantee to Hawaii residents and it will leave the decision up to the University of Hawaii.

"My concern is that we are not guaranteed that a majority of these scholarships and these tuition waivers will be going to our residents. I do commend the University for wanting to assist Pacific Asian students, but I

do believe that our primary duty is to the residents of this State and for those reasons, I state my reservations.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1286, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Hemmings voting no, and Representative Morgado being excused.

The Chair directed the Clerk to note that S.B. No. 1286 had passed Third Reading at 12:13 o'clock p.m.

Stand. Com. Rep. No. 824 on S.B. No. 1299, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1299, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Morgado being excused.

Stand. Com. Rep. No. 825 on S.B. No. 20, SD 1, HD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 20, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Morgado being excused.

The Chair directed the Clerk to note that S.B. Nos. 1299 and 20 had passed Third Reading at 12:14 o'clock p.m.

At 12:15 o'clock p.m., Representative Okamura asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:31 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Morgado.

Stand. Com. Rep. No. 826 on S.B. No. 95, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 95, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 827 on S.B. No. 153, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 153, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Ikeda voting no.

The Chair directed the Clerk to note that S.B. Nos. 95 and 153 had passed Third Reading at 12:32 o'clock p.m.

Stand. Com. Rep. No. 828 on S.B. No. 236, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 236, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 829 on S.B. No. 64, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 64, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 236 and 64 had passed Third Reading at 12:33 o'clock p.m.

Stand. Com. Rep. No. 830 on S.B. No. 78, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 78, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 831 on S.B. No. 726, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 726, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 832 on S.B. No. 592, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 592, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIMITING COMMERCIAL EXPLOITATION OF CRIME", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 78, 726 and 592 had passed Third Reading at 12:34 o'clock p.m.

Stand. Com. Rep. No. 833 on S.B. No. 665, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 665, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 834 on S.B. No. 702, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 702, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 835 on S.B. No. 1487, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1487, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 836 on S.B. No. 1358, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1358, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COSTS OF COURT", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 665, 702, 1487 and 1358 had passed Third Reading at 12:35 o'clock p.m.

Stand. Com. Rep. No. 837 on S.B. No. 1354, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1354, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES AND HOUSING", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 838 on S.B. No. 732, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 732, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 839 on S.B. No. 113, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 113, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES", having been read

throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 1354, 732 and 113 had passed Third Reading at 12:36 o'clock p.m.

Stand. Com. Rep. No. 840 on S.B. No. 459, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 459, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 841 on S.B. No. 338, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 338, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 459 and 338 had passed Third Reading at 12:37 o'clock p.m.

Stand. Com. Rep. No. 842 on S.B. No. 460, SD 2, HD 2:

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

Stand. Com. Rep. No. 843 on S.B. No. 463, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 463, SD 1, HD 2, 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 Third Reading by a vote of 47 ayes to 4 noes, with Representatives Anderson, Hemmings, Ikeda and Marumoto voting no.

Stand. Com. Rep. No. 847 on S.B. No. 932, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 932, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGREEMENTS OF SALE", having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Ikeda, Isbell and Marumoto voting no.

The Chair directed the Clerk to note that S.B. Nos. 463 and 932 had passed Third Reading at 12:38 o'clock p.m.

Stand. Com. Rep. No. 889 on S.B. No. 1413, SD 1, HD 1:

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

Stand. Com. Rep. No. 890 on S.B. No. 615, SD 1, HD 2:

Representative Shon moved that the report of the Committee be adopted and S.B. No. 615, SD 1, HD 2, having been read throughout, pass Third Reading, seconded by Representative Metcalf.

Representative Liu 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 Liu's remarks are as follows:

"Mr. Speaker, I speak in favor of S.B. 615, SD 1, HD 2. I only wish to make clear that it is not the intent of this bill to permit prevailing parties in suits for injunctive relief to collect attorney's fees with costs if the claim is based on the propriety of a permit or approval given by a State or County agency."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 615, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR PRIVATE ATTORNEYS GENERAL", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

Stand. Com. Rep. No. 891 on S.B. No. 1127, SD 1, HD 2:

On motion by Representative Shito,

seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 1127, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 615 and 1127 had passed Third Reading at 12:39 o'clock p.m.

Stand. Com. Rep. No. 900 on S.B. No. 1185, SD 1, HD 1:

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

Stand. Com. Rep. No. 901 on S.B. No. 1287, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1287, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Yoshimura voting no.

Stand. Com. Rep. No. 902 on S.B. No. 1186, SD 2, HD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1186, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 903 on S.B. No. 1193, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1193, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 1287, 1186 and 1193 had passed Third Reading at 12:40 o'clock p.m.

Stand. Com. Rep. No. 904 on S.B. No. 83, SD 2, HD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 83, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 905 on S.B. No. 170, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 170, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXTENSION OF THE COMPLIANCE RESOLUTION FUND", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 906 on S.B. No. 471, SD 2, HD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 471, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR", having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Marumoto voting no.

The Chair directed the Clerk to note that S.B. Nos. 83, 170 and 471 had passed Third Reading at 12:41 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 361 to 374) and concurrent resolutions (H.C.R. Nos. 120 to 127) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 361) urging a temporary moratorium on all water development on Windward Oahu was jointly offered by Representatives Nakata, Anderson, Andrews, Apo, Crozier, Hagino, Levin, Medeiros, Menor, Metcalf, Okamura, Shon, Tam, Taniguchi and Tungpalan.

A resolution (H.R. No. 362) urging the State Department of Transportation to proceed as soon as possible with improvements for the flow of traffic on Kahekili Highway and at the interchange of Kahekili and Likelike Highways was jointly offered by Representatives Nakata, Anderson, Apo, Blair, Hagino, Lardizabal, Levin, Menor, Okamura, Shon, Tam, Taniguchi and Tungpalan.

A resolution (H.R. No. 363) requesting the Director of the State Department of Transportation to insure all appropriate contingency plans and arrangements are in effect to handle vehicle accident or breakdown related delays in the Wilson and Pali Tunnels with the greatest possible expediency and least possible traffic delays was jointly offered by Representatives Nakata, Anderson, Apo, Blair, Hagino, Lardizabal, Levin, Menor, Morgado, Okamura, Onouye, Shon, Tam, Taniguchi and Tungpalan.

A resolution (H.R. No. 364) requesting the Director of the State Department of Transportation to take immediate steps and formulate long term plans to prevent further undermining of Kamehameha Highway between Hauula and Kualoa due to ocean storm and wave erosion was jointly offered by Representatives Nakata, Anderson, Apo, Blair, Hagino, Ige, Kim, Lardizabal, Levin, Menor, Okamura, Onouye, Shon, Tam, Taniguchi and Tungpalan.

A resolution (H.R. No. 365) requesting the establishment of a sister Province-State relationship between the Province of Ilocos Sur, Republic of the Philippines and the State of Hawaii was jointly offered by Representatives Cachola, Menor, Bunda, Grauly, Tungpalan, Lardizabal, Kim, Kihano, Okamura, Anderson, Apo, Crozier, Hagino, Hashimoto, Honda, Ige, Isbell, Leong, Medeiros, Metcalf, Morgado, Shito, Shon, Souki, Tajiri, Takamine and Tam.

A resolution (H.R. No. 366) relating to the commendation of the University of Hawaii Sea Grant College Program was jointly offered by Representatives Apo, Shon, Andrews, Crozier, Hagino, Honda, Isbell, Kamali'i, Metcalf, Nakata, Pfeil, Say, Tajiri, Tam and Tom.

A resolution (H.R. No. 367) urging the United States Congress to extend the federal energy tax credits for the installation of energy conserving devices was jointly offered by

Representatives Andrews and Okamura.

A resolution (H.R. No. 368) requesting the establishment of a hazardous waste advisory committee was jointly offered by Representatives Andrews and Okamura.

A resolution (H.R. No. 369) concerning statewide centralized cargo distribution planning was jointly offered by Representative Peters. (By request)

A resolution (H.R. No. 370) requesting the State Librarian to investigate the feasibility of hiring monitors for public library security was jointly offered by Representatives Lindsey, Blair, Hirono, Kawakami, Medeiros, Menor, Metcalf, Morgado, Oshiro, Pfeil, Shon, Souki, Takamine and Tom.

A resolution (H.R. No. 371) requesting the Superintendent of Education to conduct a study on the clerical assistance needs of the public school libraries was jointly offered by Representatives Lindsey, Blair, Hirono, Kawakami, Medeiros, Menor, Metcalf, Morgado, Oshiro, Pfeil, Shon, Souki and Tom.

A resolution (H.R. No. 372) requesting the Board of Regents to develop measures of effectiveness and to establish baseline data to facilitate evaluations of the University of Hawaii was jointly offered by Representatives Levin, Bunda, Cavasso, Grauly, Hagino, Hemmings, Honda, Onouye, Pfeil, Say, Shon, Tam and Yoshimura.

A resolution (H.R. No. 373) requesting the President of the University of Hawaii, the Dean of the School of Travel Industry and Management, and the Board of Regents to consider the establishment of a tourism-related graduate course was jointly offered by Representatives Levin, Onouye and Ige.

A resolution (H.R. No. 374) requesting the Department of Planning and Economic Development to propose methods or ways of compensating residents affected by geothermal exploration and development was jointly offered by Representatives Levin, Grauly, Hagino, Hemmings, Honda, Lindsey, Onouye, Pfeil, Say, Shon and Tam.

A concurrent resolution (H.C.R. No. 120) urging a temporary moratorium on all water development on Windward Oahu was jointly offered by

Representatives Nakata, Anderson, Andrews, Apo, Crozier, Hagino, Levin, Medeiros, Menor, Metcalf, Okamura, Shon, Tam, Taniguchi and Tungpalan.

A concurrent resolution (H.C.R. No. 121) urging the State Department of Transportation to proceed as soon as possible with improvements for the flow of traffic on Kahekili Highway and at the interchange of Kahekili and Likelike Highways was jointly offered by Representatives Nakata, Anderson, Apo, Blair, Hagino, Lardizabal, Levin, Menor, Okamura, Shon, Tam, Taniguchi and Tungpalan.

A concurrent resolution (H.C.R. No. 122) requesting the Director of the State Department of Transportation to insure all appropriate contingency plans and arrangements are in effect to handle vehicle accident or breakdown related delays in the Wilson and Pali Tunnels with the greatest possible expediency and least possible traffic delays was jointly offered by Representatives Nakata, Anderson, Apo, Blair, Hagino, Kim, Lardizabal, Levin, Menor, Okamura, Onouye, Shon, Tam, Taniguchi and Tungpalan.

A concurrent resolution (H.C.R. No. 123) requesting the Director of the State Department of Transportation to take immediate steps and formulate long term plans to prevent further undermining of Kamehameha Highway between Hauula and Kualoa due to ocean storm and wave erosion was jointly offered by Representatives Nakata, Anderson, Apo, Blair, Hagino, Ige, Kim, Lardizabal, Levin, Menor, Okamura, Onouye, Shon, Tam, Taniguchi and Tungpalan.

A concurrent resolution (H.C.R. No. 124) requesting the establishment of a sister Province-State relationship between the Province of Ilocos Sur, Republic of the Philippines and the State of Hawaii was jointly offered by Representatives Cachola, Menor, Bunda, Gaulty, Tungpalan, Lardizabal, Kim, Kihano, Okamura, Anderson, Apo, Crozier, Hagino, Hashimoto, Honda, Ige, Isbell, Leong, Medeiros, Metcalf, Morgado, Onouye, Shito, Shon, Souki, Tajiri, Takamine and Tam.

A concurrent resolution (H.C.R. No. 125) relating to the commendation of the University of Hawaii Sea Grant College Program was jointly offered by Representatives Apo, Shon, Andrews, Crozier, Hagino, Honda, Isbell, Kamali'i, Metcalf, Nakata,

Pfeil, Say, Tajiri, Tam and Tom.

A concurrent resolution (H.C.R. No. 126) urging the United States Congress to extend the federal energy tax credits for the installation of energy conserving devices was jointly offered by Representatives Andrews and Okamura.

A concurrent resolution (H.C.R. No. 127) requesting the establishment of a hazardous waste advisory committee was jointly offered by Representatives Andrews and Okamura.

THIRD READING

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

S.B. No. 217, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 217, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PODIATRY", passed Third Reading by a vote of 51 ayes.

S.B. No. 1175, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 1175, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 217 and 1175 had passed Third Reading at 12:42 o'clock p.m.

S.B. No. 201, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 201, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS", passed Third Reading by a vote of 51 ayes.

S.B. No. 454, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 454, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 201 and 454 had passed Third Reading at 12:43 o'clock p.m.

S.B. No. 1144, SD 1, HD 1:

Representative Shito moved that S.B. No. 1144, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Bunda.

Representative Ikeda rose and stated:

"Mr. Speaker, I rise to speak in favor of Senate Bill 1144, Senate Draft 1, House Draft 1, but with serious reservations.

"Mr. Speaker, this Legislature and previous Legislatures have had considerable discussion on this issue for many years. We have been told on the one hand of the dangers associated with the administration of pharmaceutical agents by non-medically trained persons. On the other hand, proponents of this measure claim that the use of these agents by optometrists will serve to decrease the high cost of eye care by eliminating a possibly unnecessary referral to an ophthalmologists or medical doctor.

"Having heard the presentations both in favor of and against this legislation, including testimony regarding a life-threatening, albeit infrequent, allergic reactions to these pharmaceuticals, and having conducted additional research on my own, I still remain unconvinced that such an amendment would really be in the public's best interest; however, strong cases made for the measure by the fact that 43 states have passed similar legislation permitting the use of these drugs by optometrists.

"Mr. Speaker, we have been hampered throughout the numerous hearings on this issue over the years by a lack of concrete evidence regarding the frequency and severity of reactions and the ability of the attending optometrist to adequately treat these reactions.

"In response to this, Mr. Speaker, the Chairman of your Committee on Consumer Protection and Commerce has included in the bill a mandate that all adverse reactions resulting from the administration of pharmaceutical agents by optometrists be reported to the Board of Examiners in Optometry. The reporting clause will

expire on June 30th, 1988, at which time the Legislature will, with the aid of these reports, be in a better position to determine whether the use of pharmaceutical agents by optometrists really does pose a serious threat to public safety.

"Therefore, in spite of my serious reservations on this measure, I will vote in favor of it to determine once and for all the true extent of the dangers involved.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and S.B. No. 1144, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY", having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Blair, Cachola and Kamali'i voting no.

The Chair directed the Clerk to note that S.B. No. 1144 had passed Third Reading at 12:45 o'clock p.m.

S.B. No. 1130, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 1130, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Takamine voting no.

The Chair directed the Clerk to note that S.B. No. 1130 had passed Third Reading at 12:46 o'clock p.m.

At 12:47 o'clock p.m., the House of Representatives stood in recess until 4:00 o'clock p.m. this afternoon.

AFTERNOON SESSION

The House of Representatives reconvened at 4:20 o'clock p.m.

THIRD READING

S.B. No. 669, SD 1, HD 1:

Representative Shito moved that S.B. No. 669, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Bunda.

Representative Blair rose to speak against the bill, stating:

"Mr. Speaker, on page 1 of the

committee report, I would point out that the committee report notes that certain aspects of the existing takeover law make it constitutionally suspect, and listed as item (b) is the fact that the existing takeover law provides for a delay of 60 days or more.

"I would point out that this bill is inconsistent in that Part 2 of this bill provides for a 55-day delay amongst many other things to discourage people from acquiring more than an incrementive 10 percent of the stock in any corporation without the approval of the other stockholders. If, in fact, we are amending our current law because of this delay, I wonder why we are incorporating such a delay.

"In the new Part 2 of the bill, Mr. Speaker, I would submit that anyone who is familiar with the subject matter would realize that Part 2 of this bill beginning on page 23 is clearly unconstitutional under both the commerce clause and under the supremacy clause of the Constitution. And while there may be Boards of Directors who would like us to enact this so that they may feel somewhat greater freedom from those who might disagree with their position on whatever issues happen to be before them as a Board, I think that's speaking on behalf of the public of Hawaii.

"All that this will accomplish is that somewhere down the road, some challenger is going to challenge this law on the basis of its constitutionality. It will be found unconstitutional and the federal court will charge the State of Hawaii as it has been doing with the unfortunate regularity these days for the attorneys fees of the plaintiff which I would suspect, going on the track record, is about a quarter of a million dollars because it will probably be having some counsel from New York or somewhere else handling this federal court case. And the taxpayers from the State of Hawaii will be paying that money for the benefit of the Boards of Directors of the various large corporations to protect them from scrutiny, and I just don't think that that's appropriate.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and S.B. No. 669, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", having been read throughout, passed Third Reading by a vote of 49 ayes

to 2 noes, with Representatives Blair and Onouye voting no.

The Chair directed the Clerk to note that S.B. No. 669 had passed Third Reading at 4:22 o'clock p.m.

S.B. No. 1231, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 1231, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Third Reading by a vote of 51 ayes.

S.B. No. 1270, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 1270, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE", passed Third Reading by a vote of 51 ayes.

S.B. No. 1138, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Shito and carried, S.B. No. 1138, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 1231, 1270 and 1138 had passed Third Reading at 4:23 o'clock p.m.

S.B. No. 224, HD 1:

On motion by Representative Shito, seconded by Representative Hashimoto and carried, S.B. No. 224, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Third Reading by a vote of 51 ayes.

S.B. No. 644, SD 1, HD 1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, S.B. No. 644, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS", passed Third Reading by a vote of 43 ayes to 8 noes, with Representatives Blair, Cachola, Cavasso, Kim, Leong, Menor, Morgado and Onouye voting no.

S.B. No. 253, SD 1, HD 1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, S.B. No. 253, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 224, 644 and 253 had passed Third Reading at 4:24 o'clock p.m.

S.B. No. 76, SD 1, HD 1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, S.B. No. 76, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES", passed Third Reading by a vote of 51 ayes.

S.B. No. 461, SD 1, HD 1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, S.B. No. 461, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING", passed Third Reading by a vote of 51 ayes.

S.B. No. 1155, SD 1, HD 1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, S.B. No. 1155, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 76, 461 and 1155 had passed Third Reading at 4:25 o'clock p.m.

S.B. No. 1404, HD 1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, S.B. No. 1404, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT TRANSFERS", passed Third Reading by a vote of 51 ayes.

S.B. No. 377, SD 1, HD 1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, S.B. No. 377, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS", passed Third Reading by a

vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 1404 and 377 had passed Third Reading at 4:26 o'clock p.m.

S.B. No. 1408, SD 2, HD 1:

Representative Tom moved that S.B. No. 1408, SD 2, HD 1, having been read throughout, pass Third Reading, seconded by Representative Metcalf.

Representative Kamali'i rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill but with reservations.

"Mr. Speaker, this measure takes several important steps to broaden and to strengthen the laws regarding family violence. However, a mistaken assumption that domestic violence is a matter for the family court rather than criminal justice system is a grave error. Simply violence is violence. It is unacceptable; it is illegal; and it is criminal behavior. Rather than believing that domestic violence is to be treated with less seriousness as a criminal offense, I urge that we consider it for what it truly is -- the greater offense, because it involves those with the traditional responsibility for protecting, not violating, the security of a home.

"Many of our laws, especially as they originally applied to women and children, retain archaic elements and affect the family which is viewed as a unit or unit of private property, and just as ruining a piece of a family furniture was not considered a case of malicious destruction, the mistreatment or abuse of family members was also considered personal business and the harm suffered only within the household.

"Now, my fellow colleagues, we know different. Such violence harms the entire community. When a child like Veronica Ann dies, it is not merely the business of the family but our entire State. Our humanity as a society is deeply rooted in and judged by our ability to care for our weakest members. And we fail when a child dies because we acted as though it was a family matter and not a crime.

"Recently completed national study on family violence has strongly recommended that such abuse be

treated as a criminal offense. The effect of deterrent for preventing such violence is the guarantee the society will intervene and that the offender will be sent to jail. The full strength of the law is a protection which our weakest members should have asserted. Only then can they begin to know that they are safe.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and S.B. No. 1408, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 1408 had passed Third Reading at 4:29 o'clock p.m.

S.B. No. 588, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 588, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Oshiro voting no.

S.B. No. 539, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Tom and carried, S.B. No. 539, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALARM BUSINESSES", passed Third Reading by a vote of 51 ayes.

S.B. No. 327, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 327, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS", passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Ikeda voting no.

The Chair directed the Clerk to note that S.B. Nos. 588, 539 and 327 had passed Third Reading at 4:30 o'clock p.m.

S.B. No. 1310, SD 1, HD 1:

On motion by Representative Apo, seconded by Representative Say and carried, S.B. No. 1310, SD 1, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO REPLACEMENT OF ERODED SAND ON PUBLIC BEACHES", passed Third Reading by a vote of 51 ayes.

S.B. No. 1196, SD 1, HD 1:

On motion by Representative Say, seconded by Representative Tam and carried, S.B. No. 1196, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 1310 and 1196 had passed Third Reading at 4:31 o'clock p.m.

S.B. No. 1223, HD 1:

Representative Say moved that S.B. No. 1223, HD 1, having been read throughout, pass Third Reading, seconded by Representative Tam.

Representative Kamali'i rose to speak against the bill, stating:

"Mr. Speaker, the original intent of this bill was to allow the Department of Hawaiian Homes needed flexibility in the hiring and retention of temporary personnel. With the Department's recent commitment to accelerating awarding and placement of applicants on the land, such flexibility has become a crucial element of success. I have absolutely no problem with this intent.

"Before this program of acceleration was begun, former director of the Hawaiian Homes, Billie Beamer, had estimated that it would take over 200 years to place current applicants on the Department's infamous waiting list. However, just as infamous as this list, is the State's refusal to pay the administrative cost of the Department and this bill, as amended, proposes not just to continue that unconstitutional practice, but to broaden its consequences.

"By this bill, the Department of Hawaiian Homes could be forced to pay for such temporary personnel from the native Hawaiian rehabilitation fund. NHRF is the 30 percent of the sugar land leases and water licenses once congressionally mandated as the only source for homestead and related loan funds. Throughout the Territorial period and by State law until 1980, these moneys were routinely funneled into the general fund for

educational purposes unrelated to the mission of the Department. I strongly believe that such allocations were violations of the Hawaiian Homes trust.

"Now, when the 1978 Constitution has explicitly required that the State provide for the administrative costs of the Department, a provision given added weight, Mr. Speaker, by the direction of Big Island judge, Shunichi Kimura. Now, when the same amended article has reinstated such revenues for native Hawaiian rehabilitation, as determined by the beneficiary class, now we are confronted by this bill. How can the Legislature direct trust moneys for administrative costs? It's unconstitutional. We will do a great wrong if we pass this bill. Historically the 30 percent revenues were offered as a kind of conscience money for consigning the worst lands in the islands to Hawaiian Homes. Now we again propose to add insult to injury, on the one hand endorsing the accelerated awards of raw land to native beneficiaries, and then insisting that the funds which could be used to make those lands hadable, be expended for the administrative process itself.

"Mr. Speaker, this State formed into a covenant with the federal government regarding the trust of Hawaiian Home lands. The intent, the purpose, and the spirit of that covenant has been ignored or violated for the 25 years since statehood. This and that disgrace continues with this measure.

"The administrative cost of the Department of Hawaiian Homes must come out of the general fund as constituted, as I said earlier, by our own State Constitution of 1978.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and S.B. No. 1223, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", having been read throughout, passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Hemmings, Ikeda, Isbell and Kamali'i voting no.

The Chair directed the Clerk to note that S.B. No. 1223 had passed Third Reading at 4:35 o'clock p.m.

S.B. No. 280, SD 1, HD 1:

On motion by Representative Say, seconded by Representative Tam and carried, S.B. No. 280, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Third Reading by a vote of 51 ayes.

S.B. No. 404, HD 1:

On motion by Representative Say, seconded by Representative Tam and carried, S.B. No. 404, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

S.B. No. 235, SD 1, HD 1:

On motion by Representative Say, seconded by Representative Hashimoto and carried, S.B. No. 235, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 280, 404 and 235 had passed Third Reading at 4:36 o'clock p.m.

S.B. No. 468, HD 1:

On motion by Representative Say, seconded by Representative Tam and carried, S.B. No. 468, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Third Reading by a vote of 51 ayes.

S.B. No. 1353, SD 1, HD 1:

On motion by Representative Andrews, seconded by Representative Honda and carried, S.B. No. 1353, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES", passed Third Reading by a vote of 51 ayes.

S.B. No. 86, SD 1, HD 1:

On motion by Representative Andrews, seconded by Representative Apo and carried, S.B. No. 86, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENVIRONMENTAL POLICY", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to

note that S.B. Nos. 468, 1353 and 86 had passed Third Reading at 4:37 o'clock p.m.

S.B. No. 149, SD 1, HD 1:

Representative Andrews moved that S.B. No. 149, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Say.

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

"Mr. Speaker, I would like to stress two points that I hope can be clarified or worked out in conference.

"One is on page 11, section (j) of the bill which says that all parties to a hearing can stipulate as to the findings of fact, conclusion of law, and conditions of reclassification. I think it is perhaps clear enough but perhaps be made more clear that the ultimate decision will still lie with the Land Use Commission, that even if all parties agree to certain findings or certain conclusions, that it will still be the Land Use Commission that will make the decision as to whether a boundary change can be made.

"The second point that I am concerned about is the fact that we are dealing with fifteen parcels of fifteen acres or less. We should not let ourselves get into a situation where a series of parcels get reclassified, each being fifteen acres or less, until a much larger parcel is really being reclassified, and I hope that the committees can deal with that.

"Thank you."

Representative Liu rose and stated:

"Mr. Speaker, I rise to speak against the bill -- just to indicate my objection to the proposed Section 205-17, Section 1 of the bill, that specifically calls for the Land Use Commission to consider, in its district boundary reclassification, the goals, objectives and policy of the Hawaii State plan and how it relates to the applicable priority guidelines of the Hawaii State plan and the adopted functional plans.

"I think it is redundant. I don't think we need it.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and S.B. No. 149, SD 1, HD 1, entitled: "A BILL FOR AN

ACT RELATING TO LAND USE", having been read throughout, passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Hemmings, Ikeda, Liu and Marumoto voting no.

The Chair directed the Clerk to note that S.B. No. 149 had passed Third Reading at 4:40 o'clock p.m.

S.B. No. 70, SD 1, HD 1:

On motion by Representative Andrews, seconded by Representative Tom and carried, S.B. No. 70, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", passed Third Reading by a vote of 51 ayes.

S.B. No. 775, SD 1, HD 1:

On motion by Representative Andrews, seconded by Representative Tom and carried, S.B. No. 775, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 70 and 775 had passed Third Reading at 4:41 o'clock p.m.

S.B. No. 462, SD 1, HD 1:

On motion by Representative Kim, seconded by Representative Lardizabal and carried, S.B. No. 462, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TERMS OF BOARDS AND COMMISSIONS", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 462 had passed Third Reading at 4:42 o'clock p.m.

S.B. No. 234, SD 1, HD 1:

On motion by Representative Hashimoto, seconded by Representative Andrews and carried, S.B. No. 234, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Ikeda, Isbell, Kamali'i, Nakata, Onouye, Pfeil and Shon voting no.

The Chair directed the Clerk to note that S.B. No. 234 had passed Third Reading at 4:43 o'clock p.m.

S.B. No. 249, SD 1, HD 1:

Representative Tom moved that S.B. No. 249, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Menor.

Representative Liu rose to speak against the bill, stating:

"Mr. Speaker, unfortunately, the committee report purports to support usage of these adult probation records by the prosecutor's office, but I am afraid that the language of the bill is so clear that it would not leave any room for interpretation for the courts so that they would not even have to reach the committee report for any clarification of how these probation records can be used by the various prosecutor's offices.

"On page 2 of the bill, I think it is stated very clearly that 'all records of the State of Hawaii adult probation divisions are confidential and are not public records.' It goes on to say that 'a copy of a presentence report shall be provided only to the persons or entities named in section 706-604.' Then later, on page 3, it indicates that 'any persons or entities not entitled pursuant to this section or pursuant to section 706-604 to receive a copy of a presentence report are not entitled to receive a summary of a report and are not entitled to view a report.'

"Mr. Speaker, that language indicates that: One, these records are confidential; two, that copies of such report can only go to those entities named in section 706-604 which does not include the courts of the State of Hawaii, and that thirdly, again that same point is made in the last section of the proposed measure.

"The use of such records as we heard in testimony during the hearings on this bill is very important by the various prosecutor's office and presentation of their cases during sentencing hearings for the convicted person. To take away this right of the prosecutor's office, the committee report, notwithstanding, I think would be a great disjustice to the various prosecutor's office and what I believe endanger the public safety of the citizens of this State.

"For that reason, Mr. Speaker, I hope we do not pass this bill, albeit I think the intent was well founded but the eventual drafting of the language did not bear fruit for a bill that would be beneficial for all of us.

"Thank you, Mr. Speaker."

Representative Kamali'i rose to speak against S.B. No. 249, SD 1, HD 1, stating:

"Mr. Speaker, this measure is a classic example of a bill which says one thing and the committee report which insists otherwise.

"By the wording of the proposed statutory amendment, it seems clear that adult probation records shall be accessible only to probation officers and health practitioners with responsibilities to a sentencing court. Nowhere in the language of the bill is there a provision for access by the prosecutor's office.

"In paragraph 4 of the Standing Committee Report, there is an insistence that the prosecutor's office will continue to enjoy customary access. However, as Standing Committee Report 881 itself concedes and I quote, '...concern was expressed because the confidentiality of the report would appear to preclude the prosecutor's office from using the report in a subsequent hearing.'

"If that is truly the intent of the bill, then it should be explicit in the language of the bill. This Legislature has too many examples of judicial interpretation flying against legislative intent in measures better drafted than this one to rely strictly on legislative history rather than statutory provision. The risk, Mr. Speaker, is simply too great.

"I will vote no on this measure and ask my colleagues to do likewise.

"Thank you."

The motion was put by the Chair and carried, and S.B. No. 249, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF ADULT PROBATION RECORDS", having been read throughout, passed Third Reading by a vote of 42 ayes to 9 noes, with Representatives Anderson, Hemmings, Ikeda, Isbell, Jones, Kamali'i, Liu, Marumoto and Medeiros voting no.

S.B. No. 735, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Tom and carried, S.B. No. 735, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHECKS", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 249 and 735 had passed Third Reading at 4:48 o'clock p.m.

S.B. No. 59, SD 1, HD 1:

Representative Bunda moved that S.B. No. 59, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Lindsey.

Representative Jones rose and stated:

"Mr. Speaker, I stand to speak in favor of this bill with reservations.

"Mr. Speaker, I was just at my desk preparing to sign this bill straight up, or the report straight up, and I got a phone call from a doctor and a constituent in my district and he said, 'Hal, what's going to happen to the kids in school who have an allergic reaction to a shot?' And as I read over the report, I realized that, as it states in the first page of the bill here, that 'No child shall attend [be admitted to] to any school in the State. . . ' unless he presents the appropriate documents. And I think, unfortunately, this is going to exclude a lot of children out there who have the right of equal access to education.

"So, Mr. Speaker, I am voting aye on the bill with the sincere hope that this bill will go to conference and that very important and vital issue will be dealt with.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and S.B. No. 59, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION FOR SCHOOL ATTENDANCE", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Pfeil voting no.

S.B. No. 99, HD 1:

On motion by Representative Grauly, seconded by Representative Leong and carried, S.B. No. 99, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIGENT BURIALS", passed Third Reading by a vote of 51 ayes.

S.B. No. 102, HD 1:

On motion by Representative

Grauly, seconded by Representative Leong and carried, S.B. No. 102, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 59, 99 and 102 had passed Third Reading at 4:50 o'clock p.m.

S.B. No. 163, HD 1:

On motion by Representative Taniguchi, seconded by Representative Say and carried, S.B. No. 163, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", passed Third Reading by a vote of 51 ayes.

S.B. No. 854, SD 1, HD 1:

On motion by Representative Taniguchi, seconded by Representative Oshiro and carried, S.B. No. 854, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTIONS OF MOTOR CARRIER VEHICLES", passed Third Reading by a vote of 51 ayes.

S.B. No. 1264, SD 1, HD 1:

On motion by Representative Taniguchi, seconded by Representative Oshiro and carried, S.B. No. 1264, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Ikeda voting no.

The Chair directed the Clerk to note that S.B. Nos. 163, 854 and 1264 had passed Third Reading at 4:51 o'clock p.m.

S.B. No. 1157, SD 1, HD 1:

On motion by Representative Menor, seconded by Representative Grauly and carried, S.B. No. 1157, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITY", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Morgado voting no.

The Chair directed the Clerk to note that S.B. No. 1157 had passed Third Reading at 4:52 o'clock p.m.

At 4:52 o'clock p.m., Represen-

tative Ikeda asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:54 o'clock p.m.

S.B. No. 558, SD 2, HD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 558, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed Third Reading by a vote of 51 ayes.

S.B. No. 1089, SD 2, HD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 1089, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND GOODFELLOW BROS., INC.", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

S.B. No. 237, SD 2, HD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 237, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Third Reading by a vote of 51 ayes.

S.B. No. 115, SD 1, HD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 115, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 558, 1089, 237 and 115 had passed Third Reading at 4:55 o'clock p.m.

S.B. No. 239, SD 2, HD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 239, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

S.B. No. 384, HD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 384, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", passed Third Reading by a vote of 51 ayes.

S.B. No. 1057, SD 1, HD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 1057, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 239, 384 and 1057 had passed Third Reading at 4:56 o'clock p.m.

S.B. No. 662, HD 1:

On motion by Representative Shito, seconded by Representative Hirono and carried, S.B. No. 662, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 662 had passed Third Reading at 4:57 o'clock p.m.

S.B. No. 309, SD 1, HD 1:

Representative Shito moved that S.B. No. 309, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Hirono.

Representative Ikeda rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill with serious reservations.

"Mr. Speaker, the question of whether motorcycles should be excluded from the no-fault insurance law is a serious and complex issue and although I sympathize with the plight of motorcycle owners who are faced with extremely high premiums under no-fault, we must be sure we examine all aspects of what such an exclusion would do.

"This bill will prevent motorcycle owners and operators from collecting no-fault benefits for any accident --

including as a 'pedestrian' making a claim against another vehicle involved or upon their own car insurance policy. Therefore, the owner is seemingly totally responsible for any injuries to the operator. If the owner does not carry personal injury protection, the operator may not be covered by any insurance and is subject to the same threshold as no-fault policy holders before a suit can be brought. Therefore, the operator will in all likelihood make a claim against their medical insurance carrier. Health insurance subscribers, whether they are drivers or not, will end up subsidizing the medical costs for motorcycle injuries.

"Those involved in a serious motorcycle accident who carry no disability wage-loss insurance may end up on welfare -- at an added cost to the taxpayer.

"We must be sure that we are prepared to have these extra burdens placed on the people of Hawaii.

"Another area of concern is in the drafting of the bill. I question whether this bill clearly and accurately fulfills its stated purpose. Section 2 of the bill clearly removed 'motorcycles and motorscooters' from the definition of 'motor vehicle.' However, subsequent sections refer to 'motor vehicle accidents' with no differentiation for 'motorcycle accidents.' Therefore, the provisions using this phrase do not include accidents involving motorcycles. This causes some confusion in that motorcycle owners are still prohibited from making claims.

"It seems that the way the bill reads now, drivers or occupants of cars and pedestrians who carry no-fault insurance on their car and who also happen to be motorcycle owners, would never be able to collect no-fault insurance, even when involved in an accident while driving their car or walking down the street. This language must be clarified to prevent serious legal problems.

"The question of whether motorcycle passengers have rights to no-fault benefits is cloudy as well. Section 4 of the bill provides that persons involved in an accident who are not occupants of a motor vehicle may make a claim against the no-fault insurer of any involved vehicle except for owners and operators of motorcycles. Since motorcycles are no longer classified as motor vehicles, this would allow motorcycle passengers to make a claim against the

drivers of other vehicles. However, Section 294-5(c) does not allow occupants of uninsured motor vehicles to make claims against any other drivers. So it is unclear to me whether this double standard is intended or whether the intent is to allow all passengers -- whether of motor vehicles or motorcycles -- to claim against their own no-fault insurance policies.

"Finally, I am uncertain that this bill will actually reduce premium costs for motorcycle owners.

"However, Mr. Speaker, since the bill before us is a compromise bill, hammered out by representatives of the Insurance Commissioner, various insurance associations, the Chamber of Commerce and motorcycle organizations, I will vote in favor of the bill, but with the reservations mentioned and hope that my concerns will be addressed by a conference committee.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and S.B. No. 309, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FOR MOTOR VEHICLES AND OTHER VEHICLES", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 309 had passed Third Reading at 5:00 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 842 on S.B. No. 460, SD 2, HD 2:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 460, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Souki.

Representative Kamali'i rose and stated:

"Mr. Speaker, I rise to speak in favor of Senate Bill 460, Senate Draft 2, House Draft 2, with reservations, and I wonder if I may just have my remarks inserted in the Journal."

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

The remarks of Representative Kamali'i are as follows:

"Mr. Speaker, I rise to speak in favor of S.B. 460, SD 2, HD 2, with reservations.

"Mr. Speaker, I can understand and support the value of a central criminal data information system. A proper and accurate compilation of such data will encourage and promote more effective police and prosecution efforts to assure public safety.

"However, Mr. Speaker, I have grave reservations when there is a lack of proper safe-guards to assure that certain records are not kept.

"For example, this bill includes the provision that data on court subpoena will only be kept on those who are subsequently convicted.

The record of a plea of 'no contest' will be entered in the data system, as it should, because our courts have been responsible in informing defendants when such a plea will be treated and punished in the same manner as an admission of guilt.

"My concern, however, is for the retention of data on a 'deferred acceptance of guilt.'

"This 'DAG' plea is one which truly allows a defendant the opportunity of a second chance and the incentive of a 'clean record.' If, after a court-determined period of time, a defendant has not repeated his offense or been arrested for another crime--then, that individual may petition the courts to literally erase any record of the arrest and trial. In the case of misdemeanors, even police records of 'DAG' pleas are destroyed.

"However, this bill makes no provision for the elimination of the deferred acceptance of guilt data once the proscribed conditions have been met. To maintain such records beyond such conditions is to fundamentally violate and undermine the intent of such a plea.

"I will vote in favor of this measure, but I do so only in the hope that this over-sight can be corrected in conference committee.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 460, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER", having been read

throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 460 had passed Third Reading at 5:01 o'clock p.m.

Stand. Com. Rep. No. 889 on S.B. No. 1413, SD 1, HD 1:

Representative Tom moved that the report of the Committee be adopted, and S.B. No. 1413, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Metcalf.

Representative Tam rose and stated:

"Mr. Speaker, I wish to speak in favor of this bill with reservations. It is very important at this time that I speak with reservations knowing that everybody in here knows that I am very much in favor of 'sunshine.'

"Based on the principles embodied in the United States Constitution, our State Constitution states: 'All political power of the State is inherent in the people and the responsibility for the exercise thereof rests with the people. All government is founded on this authority.'

"Senate Bill 1413, the companion bill of House Bill 1014 which I introduced, falls directly from the fundamental ideas that political power should rest in the hands of the people. The purpose of this bill is to provide more public access to government decision making and to regain public confidence. The government decisions are not made behind closed doors.

"Although I support the passage of Senate Bill 1413, Senate Draft 1, House Draft 1, I must vote in favor, with reservations, because of certain amendments which were made by the House Judiciary Committee. Those amendments do not fit into the original purpose of the bill.

"I oppose the amendments which were made in House Draft 1, as follows:

"First, House Draft 1 has changed the wording of the original bill which would have required boards and commissions to accept oral testimonies. To state that boards and commissions may accept oral testimony is wrong. This represents an acceptance to the status quo or even a step backward. In the past, the Board of Regents of the University of Hawaii has used its

discretion to reject a presentation of oral testimony at public hearings. The discretionary leeway allowed by this amendment to this bill may actually encourage other boards to refuse to accept oral testimony as they please in the future. The boards and commissions should consider all testimonies before making their decisions.

"Secondly, House Draft 1 allows a board to hold a closed meeting session to confer with the board's attorney on 'legal responsibilities of the board or legal issues, board matters relating to actual proposed or threatened lawsuits that may involve the board.' The original bill would have restricted the attorney/client privilege to actual proposed or threatened lawsuits. To allow a board to close a meeting to confer with its attorney on any of the board's legal responsibilities or on any legal issue provides a catch-all excuse for the calling of executive meetings. There is no reason why board's discussions with its attorneys, except in cases involving a potential or actual lawsuit, need to be held in private. After all, the fundamental client is not the board or commission but the public itself.

"Thirdly, House Draft 1 has amended the original bill to allow decisions to be made in closed executive sessions. Although I agree that closed meetings may be necessary for information gathering purposes on specified subjects, including personal information, protected by the right of privacy, actual or threatened lawsuits, criminal investigations and other sensitive issues, I do not believe that actual decisions need to be made in closed meetings. All decision making by government boards and commissions should be made in full public view.

"Fourth, House Draft 1 has removed a clause in the original bill which would have prohibited public meetings on items of reasonably major importance from being continued to a later date. Sometimes, members of boards and commissions fail to make accommodations for the working public. It is already difficult enough for a working person with a family to sacrifice the time and effort required to prepare a testimony, gather support, and attend a public meeting. When meetings are continued to a later date, people are discouraged from attempting to participate in the process of government decision making. The original bill would have prevented a situation in which a board continues a meeting to a later

date in an attempt to avoid the presentation of public sentiment.

"Although I do not agree with these changes which were made in House Draft 1, the bill before us still represents a step forward. Specifically, it provides a clear process of enforcement in Hawaii's sunshine act. Hopefully, the four negative changes made in House Draft 1 will be further discussed in conference committee.

"In closing, I would like to commend such citizen groups as the League of Women Voters, the Hawaii Council of Churches, Conservation Council of Hawaii, the American Association of University Women, the Honolulu Community Media Council, and Common Cause for their dedicated and effective support of more sunshine in State and local government.

"Thank you."

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

"Mr. Speaker, although this bill is called a 'sunshine bill', it does nothing to open up board meetings.

"Section 92-5 deals with exceptions to the open-door policy of board meetings. One of the proposed amendments to this section addresses the allowance given the board to close a meeting to 'consult with the board's attorney.' The original Senate draft restricted this to consultation on pending or future litigation. Your Committee, however, broadened this clause to include consultation on all legal responsibilities of the board, all legal issues and threatened lawsuits. This change essentially emasculates the original amendment.

"Subsection (B) of the same section was also amended by the Senate draft to provide that a board would not be able to make decisions or to deliberate towards decisions in a closed meeting. This clause has been all but negated by the modifications made to this bill. The statement now reads that any decisions must address only those issues 'reasonably related' to the original reasons for closing a meeting. A phrase this broad can be interpreted to encompass anything.

"Furthermore, Mr. Speaker, the House draft deleted the requirement that matters of 'reasonably major importance' not be deferred to a later date. Instead of attempting to work out any problems it had with the particular phraseology used, the draft simply deleted the entire clause. In

addition, nothing has been included to require that adequate public notice be given on any deferred matter or decision.

"Finally, Mr. Speaker, nothing has been done to address some of the major flaws in our present law. For example, nothing has been done to close the big loophole which permits a board to close a meeting to discuss 'sensitive matters related to public safety or security.' This covers a great variety of situations. To take one example, it permits a board to close a meeting to discuss the presence of contaminants in our drinking water or heptachlor in our milk. This is an area we should be addressing with sunshine legislation.

"I cannot vote for a bill which makes a pretense of strengthening sunshine laws without doing so when we do desperately need a bill which will actually serve to improve public access to government meetings.

"For these reasons, Mr. Speaker, I am voting no on this bill and I ask my colleagues to join me.

"Thank you."

Representative Jones then rose and said:

"Please ask the Clerk to insert Mr. Tam's comments as if they were my own in the Journal. (By reference only)

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

Representative Jones thanked the Chair.

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

"You know, we, as members of the Legislature, I think are extremely aware and have a responsibility to promote accessibility to the public. We have done that in Chapter 91; we have done that in Chapter 92. But we also have the same responsibility, Mr. Speaker, to make a balance -- to balance the right of open accessibility to government by the public versus the continued smooth governmental operation. And I think that is very important, and I think that we need sunshine; we need accessibility; we are trying to give that but I detest the kinds of accusations made that we are not cognizant of the accessibility to government because this bill certainly serves for that, and yet, serves to continue the smooth

operation of government.

"In terms of testimonies, you know, there is no way in this bill we are trying to limit the accessibility of testimony by our public to boards and commissions. In the bill, it states, and the opponents don't even say this. It states that the board shall accept all written testimony. It may only accept by discretion oral testimony and, you know, some issues are complex, some are not. And board members normally are people who are not paid and these people are giving their time and service for our community. Let's remember that. And the fact remains that we, as legislators, too, rely a great deal on written testimony in looking at issues and gaining the facts and issues. We are not trying to thwart accessibility at all.

"What about closed meetings to the attorney? I challenge anyone here today to say, okay, when I go and see my attorney, I want five people to stand there and listen to me speaking about issues to my attorney. In the past, we've talked about boards and their attorneys not trying to use that as a scape or loophole to go and have an executive meeting. This bill protects that by only limiting to legal issues, legal responsibilities, and pending and threatening and actual suits. I think that's more than fair to allow board members to conduct an executive meeting to talk with their attorney. We are not making it open field.

"What about the fact of decision making? When we go and talk to our attorney, the attorney is making suggestions regarding what the boards options are. When you gotta make or deliberate towards a decision, isn't that what it's all about when you're being suggested various options? It's unrealistic to say that you cannot make or deliberate towards decisions in a meeting of an executive nature. So I think that's very, very narrow to say that this is limiting what the bill is trying to do.

"Finally, items of reasonably major importance shall not be considered at any later meeting. Mr. Speaker, there is no definition of 'reasonably major importance.' What may be reasonably important to me may not be to any other members of the board and, therefore, I think that if you want the board of volunteers to spend five or ten days, possibly on an issue that they cannot agree on nor they can't even determine whether it is a matter of reasonable importance, then

I think that we are asking for too much.

"I think the House version of this bill is extremely fair; it is extremely open, and it serves a balance between the public interest and the smooth operation of government.

"Thank you very much, Mr. Speaker."

Representative Ikeda rose and stated:

"Mr. Speaker, few words of rebuttal.

"Mr. Speaker, it bothers me that this bill. . . I suppose the intentions of the people who amended it are very good. I don't question that. But the wording of the bill bothers me. What, for example, constitutes a board's legal responsibilities? How do we determine what these are and when a board has a right to close a meeting because of these legal responsibilities? There is just no limit. It is overly broad. And, as written, I think the board could find reasons to bring the attorney in and invoke this legal responsibility question and close meetings -- meetings that should be open to the public.

"I think we can do a better job with this, Mr. Speaker. I don't think we should fool the public into believing they are getting sunshine when there is a definite black cloud over the whole thing.

"Thank you."

Representative Blair rose and stated:

"In support of the bill, I would endorse the first three of Representative Tam's four points though I must disagree with him on the fourth, and that I feel the term 'reasonably major' is ambiguous and the Committee was correct to delete that portion.

"But mostly, Mr. Speaker, I would just like to say that notwithstanding the statements on both sides, I hope that the conference committee will approach the issue with a fresh perspective and, hopefully, that a compromise can be reached that will make all parties feel comfortable with the bill as it's finally adopted. I am personally not comfortable with the bill as it is presently worded although I will be voting for it in hopes it will be improved somewhat in conference committee.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1413, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS", having been read throughout, passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Ikeda, Isbell, Kamali'i and Marumoto voting no.

The Chair directed the Clerk to note that S.B. No. 1413 had passed Third Reading at 5:17 o'clock p.m.

Stand. Com. Rep. No. 900 on S.B. No. 1185, SD 1, HD 1:

Representative Kiyabu moved that the report of the Committee be adopted, and S.B. No. 1185, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Souki.

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

"Mr. Speaker, this bill now contains the tax relief and revenue enhancement plan we proposed earlier during the legislative session. It is a comprehensive tax package which will provide an opportunity for each member of this House to shape the future direction of our State. It is designed to establish the financial structure and generate the resources needed to plan for the future benefit of our people, our business enterprises, and our island communities.

"The Standing Committee Report, attached to this bill, fully describes the purpose and intent of this measure. It also discusses the many concerns expressed and the impact of this bill to help our citizens, business, and county governments.

"After thorough examination and consideration, your Committee amended the bill to include the following:

"(1) Your Committee increased the renter credit income eligibility level to \$45,000 of adjusted gross income. This means that virtually everyone renting a home will receive benefits equal to homeowners.

"(2) Your Committee eliminated the excise and use tax on the sales and imports of capital goods for all businesses. This provides incentives for business to expand. This will also encourage high tech firms to

start businesses in Hawaii as such firms have large capital equipment investments.

"(3) Your Committee specifically identified the generous amounts of funds each county will receive in grants-in-aid. This will mean county governments will not need to raise property taxes to carry out their mandated functions.

"(4) Your Committee added a hotel room tax over a three-year period.

"Mr. Speaker, this bill, as amended, will give us the resources we urgently need to improve our educational opportunities for our children, enhance the quality of our environment, promote economic development and shape our economic future, and sustain full and complete operations of the State.

"Mr. Speaker, members of the House, your vote on the measure will determine the future outcome of the people in Hawaii. I ask that you vote favorably on Senate Bill 1185, Senate Draft 1, House Draft 1.

"Thank you."

Representative Marumoto rose to speak against the bill, stating:

"Mr. Speaker, I suppose there are those of us who will be voting for this bill who have reservations regarding certain aspects of this measure. On the other hand, there are those who are voting no, who like many of the features included in this bill but who, in no way, shape or form, can accept this bill in its entirety. I am one of those. It is an impossible pill for me to swallow because of its size. Several smaller pills would be more to my liking.

"True, it contains some goodies, popular tax exemptions, some Republican ideas which soften the impact of this tax increase proposal. But it could not include enough of them to overcome its demerits. Its impact is massive. The tax increase is massive -- at 50 percent increase in the general excise tax.

"Then there are large shifts in the tax burden from one group to another, and perhaps even from one island to another.

"I am alarmed by the degree of economic dislocation the many changes in this bill may cause in its implementation. The Senate Committee Report on this measure called it 'a

radical revision of the tax policies and tax equities of this State.'

"I feel we are treading into uncharted waters without sufficient study into the economic and social ramifications of these proposed changes. We threw away the three year study of the Tax Review Commission, and instead are hoping to enact this bill, born just this session; and since Third Reading, there have been a few more exemptions packed in. This particular version has been before us only a couple of days. I trust there has been adequate discussion and study on its new features. I for one do not know how much it will raise or how much all the individual exemptions will cost. How much will the renter tax credit cost us if the income ceiling is raised to \$45,000? Will it not shift a greater burden of the taxes from the homeowner to the renter? I believe so.

"For instance, a homeowner on Oahu paying a residential rate of \$6.75 per \$1000 receives up to a \$1182 exemption. A renting family cannot receive this same amount in tax relief unless it has eight persons in the family!

"Put it another way. A single renter will get \$150 in tax relief. A single homeowner in a \$175,000 home will get \$1182 in tax relief. Is this equitable? You neighbor islanders can figure out the impact on your islands using your own county residential property rates.

"Perhaps for this reason only I should vote for this bill because my district happens to have a high percentage of homeowners. But I do not believe this is fair, and I think it is poor tax policy.

"Another factor this bill fails to consider is that the reduction in real property taxes paid results in increased federal and state income taxes paid by those who itemize their deductions. The Tax Foundation questions whether we save money because of this federal offset. The federal government gets a larger proportionate share of our taxes and the State and counties get less.

"According to the justification sheet put out by the Finance Committee, a family of four will receive \$600 in renter tax credits and perhaps derive another \$100 in benefits.

"Again, the Tax Foundation disputes these figures. According to their careful calculations, the increase

in the excise tax to 6 percent causes price increases everywhere -- in rents, medical services -- that negate any exemptions given for food purchases.

"Even homeowners with their large exemption will pay more in total general excise taxes!

"This Senate Committee Report stated that 'this bill exempts the sale of prescription drugs, prosthetic devices, surgical and medical appliances, and food products for human consumption from the general excise tax. It appears that the intent of this proposal is to reduce the cost of the exempted items to the final consumer. A review of this bill in its entirety leads me to believe that such a reduction is unlikely to occur. For example, in the case of the sale of food by supermarkets, the probable result is no decrease and a possible increase. Many of our supermarkets pay lease rent, either for the building or the land and under this bill the general excise tax on leases increases from four to six percent. This extra two percent tax on the lease will be passed on to the renting supermarket, increasing the cost of doing business by that two percent.' In addition, we all know the supermarkets pay for many other items -- electricity, warehousing, printing and many other costs that go into selling food.

"In raising the excise tax, this bill makes our State tax structure more regressive. It hurts the low income person more than the middle income person. It adversely affects the middle income person more than the higher income person.

"The basic commodities of life -- rent, clothing, medical and dental services, cars, gas, bus fare, hamburgers and french fries -- go up in price.

"Experts have argued that at 4 percent, our tax 'moderately' pyramids at 8.1 percent. Heavy pyramiding is calculated to be at 8.9 percent. If our general excise tax rate is upped to 6 percent, I do not know what the effective rate will be. Perhaps over 10 percent?

"Despite attempts to reduce pyramiding by offering tax exemptions on manufacturing and producing, these are not expected to alleviate pyramiding to any great extent. So little of the Hawaiian economy is actually based on the lowest level, and rather, a great deal of our economic

activity is service-related, thus subject instead to the 6 percent tax as opposed to exempted activities.

"Also, I am wondering whether this tax impacts unfairly on the island of Oahu since most services are available here and not on the neighbor islands. The neighbor islands appear to be based more in agricultural (producing) activities which would become exempt under this bill. I do believe it shifts more of the tax burden this-a-way.

"I am also wondering if we really need more revenues. We have been told to expect a surplus at the end of this fiscal year. We are also projecting a large surplus at the end of FY '86.

"The surpluses, true, are a result of prudent spending. But concomitantly, these surpluses do not argue for tax increases. If the surpluses are a result of careful spending, are we asking for more money so that we no longer have to be careful or conservative? Keep in mind that in 1983 the Hawaii taxpayer was the sixth highest taxed person in the United States.

"As aforementioned, this bill states how much goes to counties. However, I question whether this is the right device to provide them with more resources. Should they surrender a portion of their property tax revenues to get that back plus a bit more?

"State money usually comes with strings attached. Will there be more string and red tape under different governors, mayors, councils and legislators?

"What independence do the counties relinquish when they give up a part of their due? The State is indeed their big brother, but will the counties ever grow up without their independence?

"Critics of this paternalism have said that the State will raise the money only to have the counties spend it. Accountability will thus be lost. I don't know whether I agree. I think the State will raise the money and also dictate how the money will be spent.

"The revenue sharing plan does not appear to be very munificent to me, especially in view of the general excise tax increase, the counties will now be paying over \$20-million to the State in general excise taxes.

"Are we not giving with one hand and taking away with the other?"

"Finally, I come to a point which I think is obvious. But since this bill is staring tangibly at me in the face, I guess others do not share my point of view.

"I see this bill as anti-business, especially anti-small business. The exemptions for manufacturing, producing, exporting, exporting of computer software, geothermal power, capital goods, sugar and pine processing, pulp and paper manufacturing, federal cost plus contractors, Maunakea scientific reserve not only puts the burden on the rest of us, but increases the burden on the rest of us.

"While Republicans have advocated tax breaks for business, this has been in the context of the existing tax structure. With an impending tax increase, it would make sense to exempt the aforementioned functions from the increase, but to do both, grant exemptions and raise the rates on the rest of us compounds the inequity.

"Give the exemptions and keep the present tax rate. Do not do both. Once again, we are giving with one hand only to snatch it away again. The 50 percent general excise tax increase will only negate the positive effect these business exemptions will have.

"The Finance Committee report says it will 'attract new business and high tech industry.' It also claims to 'create a healthy business climate and jobs for our people.'

"With the general excise tax increase, I dispute these statements. The words high tech are simply thrown onto the first page of the committee report which is the part most people read. The actual bill promises little in the way of promoting high tech. How many firms will establish themselves here because we lowered our manufacturing rate from 1/2 percent to zero? How many new jobs will be formed if we exempt the export tax on computer software?

"How many other high tech firms will be repelled by the scarcity of fee simple land, the high cost of renting land and facilities, the lack of warehouse space and the astronomical costs of workers' compensation and the 'perception' of a bad business climate, ad infinitum, ad nauseum.

"Well, you say, we're just voting for this bill to keep it alive. This is going into conference. The Senate won't 'buy' the excise tax provisions. No way!

"You are probably right and I hope so. But such matters as a general tax increase are too important to be chips in a conference committee game. Remember, this vote could be for Final Reading. The Senate might buy this one. To reiterate, and I apologize for my verbosity today, but I do feel strongly that this matter warrants full and free discussion, I question the need for the size of this tax increase. I do not know how much will be raised by this measure in ensuing years. I do not know what the money will be spent on. I do not know about the effect on our economy -- our economy is too fragile to chance a tax increase. I am concerned about the shift in the tax burden from the homeowner to the renter. I wonder about a greater share of our taxes going to the federal government because we will be deducting less of our property taxes. I think it is unfair to grant wholesale exemptions to some groups while raising the rate on others. And it may be unwise to impact one island more than another. This bill is not a tax relief for our residents.

"This bill needs more research, is regressive; it will increase pyramiding and will damage our economy.

"I am asking that sanity, rationality and common sense prevail. I implore you to vote no on this measure.

"Thank you."

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

"Mr. Speaker, I want to commend the Chairman of the House Finance Committee for having the guts and taking the lead with such an innovative tax package as Senate Bill 1185, Senate Draft 1, House Draft 1.

"Mr. Speaker, with the growing community comes growing needs. In over twenty years, we have not looked at the real problem of trying to help our taxpayers with tax relief, and yet, have additional funds to take care of our growing educational, social, recreational and services that are badly needed to serve our growing population.

"Mr. Speaker, Senate Bill 1185, Senate Draft 1, House Draft 1, will help create a triple exemption for

people who rent with adjusted gross income of up to \$45,000. It will help young married couples who are prospective home buyers, have easier time to qualify for mortgages because of mortgage payments that will not be included towards their property tax payments. And, Mr. Speaker, I am concerned about this particular segment because I have five children, four of them are married, and at the present time, none of them own a home.

"Our county governments, Mr. Speaker, will enjoy a larger and more revenues to them from the State.

"And, Mr. Speaker, the elimination of the excise tax for food and drugs by our taxpayers will allow them to spend their dollar and have their dollar go a longer way.

"The elimination of the property tax, Mr. Speaker, those payments for owner-occupied homes will assist valuation of the first \$175,000 will greatly help owners save.

"With these few pluses that I have mentioned, Mr. Speaker, I urge the members of this House to vote aye.

"Thank you very much."

Representative Jones rose and stated:

"Mr. Speaker, I stand to speak in opposition to this bill. Mr. Speaker, I know that we have a basketball game and a lot more bills to go so I want to make these comments short and I will.

"Mr. Speaker, I must stand and share, as a person who was involved in my own housing and helping young couples get housing, this is not going to help young couples get housing. For a \$150,000, three-bedroom home, this is going to raise the cost of that \$150,000 home by a minimum of 2.1/6 percent, actually about 3 percent. But say in just 2 percent, that is approximately \$6,000. Okay? We are only going to save that family \$1,000 a year in taxes. We are increasing the cost of a family picking up a new home, and let us not try and fool ourselves. Already for a family of four to buy a home on 3,000 square foot in a PUD in Kalama Valley, it is \$149,000, single-wall construction -- sometimes double-wall construction also, but about \$149,000 - \$150,000. This is going to add on to that.

"Mr. Speaker, we've talked about shaping the future direction of our

State and I agree that we are involved in that very important policy decision. But that comment, that vision, that future of our State as summarized, I believe in two words -- more taxes.

"We have completely ignored home rule. If the city and counties are overtaxing their people with property taxes, let them cut back on property taxes. If they want to raise taxes, let them raise taxes and let them take the grief. I don't think it is up to this Legislature to leave this body here raising \$56-million more in taxes.

"We have a 50 percent increase in the taxes which is going to get small business with absolutely no relief.

"We also have a 100 percent increase tax on the hotel industry with no designated funding from those taxes for tourism promotion and that is a very important missing element in this tax package. Mr. Speaker, in terms of job creation, tourism has been the number one source of job creation in the private sector in this State. We, unfortunately, don't have a very good record in terms of private sector job creation. Now we are going to tax them and not take anything from that tax to promote tourism. I think this is wrong.

"Therefore, I encourage my colleagues to vote no on this tax increase measure.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, like everyone else, I have got some reservations. I think we all do. But I would like to commend the Chairman of Finance. I think it was a new way to look at taxation by doing it in a one-shot for all types of taxes. I've never seen so many tax bills as I did this year, and we are not experts, believe me. But we have the Tax Foundation; we have the State Tax Department; we have economists; we are going to have tax attorneys; we are going to have private enterprise accountants; we are going to have every economist -- you name it. Everybody is going to be looking at this type of bill and letting us know if it is good or if it is bad and in what areas. Housing may be bad.

"I am not for the hotel room tax because we do have surplus money over and above anticipated revenue -- not our surplus that the Governor

has been taking. We are going to have to look at all of this. But how many of you here today would have put in a tax bill to give some kind of relief? And you're going to be running in your own districts and you're gonna have to sit there and worry and say, is this good or is it bad? I think he did a great job.

"We've got the Senate over there with a completely different idea. They're going to have to look at it too. I think that for the first time we are going to have to look at taxes, find out where we're high, where we can go ahead and cut, and it is something that we have never done before. We've all been asking on this side of the aisle for the 4 percent off of food and drugs. Is it something that is realistic or is it not? We are going to find out.

"I think it is time that we've all have to come together and look at these different areas instead of sitting down, saying he's wrong, she's right; I don't like this, I don't like that. It's a very comprehensive bill, and I thank you, Mr. Chairman. I hope my colleagues go aye.

"Thank you, Mr. Speaker."

Representative Hagino rose to speak against the bill, stating:

"Mr. Speaker, this bill, in its current version, is somewhat better than the original House Bill 1350 that we passed. I don't have too much in the way of comments to be made; I think a lot of it has been said and I've said that when we passed House Bill 1350 originally.

"I think the complexity of this measure can be revealed by just one simple point of view. . . I think perspective, looking at the renters. The renters tax credit comes at the end of the year. The real property owner gets that up front and gets that relief throughout the year -- he gets the availability of that money throughout the year.

"A person who owns real property, of course, also has a tax shelter and as all of us know, ownership of real property is the best tax shelter that any average person can have. That is not available to the renter.

"I think just by those two simple points of view, we see how complex the tax burdens are on all of us and how it affects each social economic category very differently, and that is why there is a lot of apprehension on

my part toward this bill. I don't want to say anything more about the bill itself.

"I would like to turn, at this time, to the committee report and react to some comments on page 15. I haven't seen a committee report like this ever before in my seven years, but I would like to make some rebuttal to some of the committee report that is noted.

"On page 15, it states: 'Finally, your Committee suggests that those who advocate no change in our tax system appear short-sighted and self-interested.' I would like to feel that some exuberant clerk writing this report has not really directed toward those who are not on the Finance Committee.

"The next comment is: 'These individuals do not seem to have the commitment to fix our public schools. . . .' I would just like to point out that I send my child to a public school and I see the need for the commitment every day when he returns home and again, I don't like to feel that that comment is directed toward those of us who are opposed to this bill.

"Finally, it states in the very same paragraph: 'Further, they are insensitive to the taxpayer's plea for property tax relief.' Again, chuck that up to exuberance and some lusty writing on the part of a clerk, but I would like to say that those of us who are opposed to this bill, I do not believe are acting any self-interest or any lack of desire to fix up our public schools, and I felt that that was important to rebut in this committee report."

Representative Hemmings rose to speak against the bill, stating:

"Mr. Speaker, we had a gentleman, an Assemblyman from California, in our caucus earlier today and California was handing out IOU's at the finish of the term of their previous Governor, and they were in serious financial straits because they had no money. And I asked him when he walked in, 'How did California turn that around real quickly to now they have a massive surplus and they will be able to pass tax savings on to their people rather than to give them tax burden?' And he simply said: 'We cut spending.'

"Mr. Speaker, there is a real alternative to this bill and that is what I want to discuss.

"This bill is not tax reform; it is a tax increase -- an estimated \$56-million tax increase. This bill is not tax relief -- it is a tax increase. This bill is not helping the businesses nor the people of Hawaii. It is adding to the burden of the cost of living. You cannot separate any single item in this bill and say, well our 4 percent excise tax is not that high so don't not we inch it up a bit. The people of Hawaii are amongst the highest taxed people in the nation. The people in Hawaii have the highest cost of living; our land is the most expensive; the cost to build a house is the most expensive; our groceries are the most expensive. Our people cannot keep paying, and most especially they cannot keep paying for the inefficiencies and inaccountability of our own State government. We don't need more taxes, gentlemen and ladies. We need to cut government spending.

"Our education system can improve as I heard a previous speaker mention earlier. It can improve by legislating more accountability and more efficiency and more proficiency into the program. We don't have a problem with repair and maintenance at our schools. We have a problem with discipline at our schools, and that's graphically illustrated by one teacher at Moanalua High School who I would like to give a big raise to because he has kept his school clean and we don't have to spend \$40-million to clean the schools in the State of Hawaii. We can demand from the people who are managing our schools to be a little more accountable in what they're already doing with our money.

"We can eliminate cheating and fraud from our social services programs, Mr. Speaker. We can institute work fair which is working successfully in other states. You know, we have created a whole generation of people that feel that government owes them a living and it is much easier for them to collect money. They're able-bodied; they're healthy; they stand up; they walk around; they're at the beach all day, drinking Heineken's beer, throwing the bottles on the ground while we are paying to clean it up and paying their tab. Well, I think the people of Hawaii, the workers of Hawaii, are sick of it, and we better stop giving these people money to be wasted. There's massive fraud and cheating going on.

"We can reform workers' compensation. Workers' compensation is costing the State of Hawaii a lot of

money. We can cut millions of dollars in State and County revenues by reforming workers' compensation.

"We don't have to throw more money at our Department of Social Services to prevent children and child abuse. We just have to demand that the people who are running those programs do their job. We don't have to give them more money and have more people there. There were almost criminal indictments because the Department of Social Services did not do their job properly in this situation.

"We're going to spend \$2.75-million because the Department of Transportation went into a contract on Maui and failed to execute it properly, but what the heck, we can raise taxes. So the \$2.75-million that we just voted on on the good fellow bill -- pass it on to the taxpayers.

"We are passing on a blind bill to raise the salaries -- right now it is \$2.00 and that's probably what it should be -- of our State Executive branch of government. They don't deserve a raise. They're not spending our money wisely. We are not going to throw good money after bad. When you have a problem in the private sector, you have a problem in your own family account, when something is going wrong, you don't pay more -- you fix the problem.

"Mr. Speaker, there is an alternative to raising taxes and that is more efficiency and more accountability on our part here at the Legislature, that we should demand from the Executive branch of government to stop spending and wasting the peoples' money. The cost of living and the cost of doing business in Hawaii is already too high. This is another step in my entire adult life, and I said this on H.B. 1350 -- I've seen the State of Hawaii take more and more money from the private sector because they are going to do a better job for us. Well, we are paying more and getting less. We have to stop and now is the time.

"I urge you all -- vote no on this bill and send a strong signal to the people of Hawaii that we are going to do our job better and we are going to stop wasting their money. Let them keep their money in their pockets and in their business cash registers so they can do business better and thereby increase the tax base for all of us.

"Thank you, Mr. Speaker."

Representative Blair rose to speak against the bill, stating:

"Mr. Speaker, briefly, when House Bill 1350 came before us, I voted in favor of it primarily because I supported it and I continue to support the idea of major tax reform and it may well be that many of the ideas in here would be part of that, but I am just afraid that the sort of rigorous analysis which should precede rather than follow the enactment of such major legislation, perhaps the most major legislation that I have had to vote on in my eleven years in this body. That sort of rigorous analysis should be done before we have the final vote on it. As it stands now, I don't know the full implications of this bill and it is getting so close to final passage at this point, Mr. Speaker, that I would have to vote against this bill and urge the members to do likewise to keep the bill alive so that it can be deferred into the interim and worked over more thoroughly so that when we do vote on it in 1986, we would know precisely what it was that we were accomplishing rather than simply having a general idea and hopes and dreams.

"For those reasons, Mr. Speaker, I urge that the matter not be voted on favorably.

"Thank you."

Representative Gaulty rose to speak against the bill, stating:

"Mr. Speaker, it is clear that this bill is one of fundamental importance to the people of the State of Hawaii and for that reason I've tried to review this bill as carefully as I possibly could. It has also been characterized as a Democratic Party's response or the Democratic Majority's response to the challenges of the future, and I want to assure you and my Democratic colleagues that I want very much to vote for this bill on that basis alone. However, as a true Democrat and as a representative or a legislator who represents the middle and the lower classes which I feel is the heart of the Democratic Party, my judgment is that this bill will just not play, for two reasons, Mr. Speaker.

"First of all, I think it will raise prices, and secondly, I think that this bill will be bad for an already bad economic climate and for that reason, I would like to urge my colleagues to vote no on the bill."

Representative Souki rose to speak

in favor of the bill, stating:

"Mr. Speaker and fellow colleagues, first of all, I would like to commend the Chairman for a very good bill, a very innovative bill.

"I think this bill is very timely because these past years, you've heard all of the counties saying that they cannot tax their people any more, that their property can't be taxed. They were at the point where they were ready to go bankrupt, and I believe that the Chairman here and the Committee had the foresight to provide a bill to alleviate the counties of their dire problems, and we must remember that we are all part of the counties. We are not a state by itself. We have to go back and live in there.

"Also, one of the most handicapped and downtrodden citizens that we have is the elderly. Many of the elderly lose their homes and forced to sell their homes because they cannot maintain to pay for the property tax. This bill here will allow the elderly to stay in their homes for as long as they live and as a gratitude for all the years that they have worked for this good State.

"Furthermore, this bill will provide for us. . .for many years we have been looking for some relief in the purchase of food and in the purchase of medicine. This bill here provides relief and what is more essential to all of us other than food and medicine? This is the most two essential items.

"I can agree with some of you who stated that, yes, the cost will go up for some. It will be more expensive to purchase a car -- an expensive car. It will be more expensive to purchase a mink coat, a cashmere sweater, but these are optional items. This is not bread and butter items; these are items that you can choose.

"So, my fellow citizens and colleagues, in keeping up with the principle of the new federalism in Washington where the decisions whether to spend or not to be spent will be made at the local level, and I can tell you that the decision is made at the top to cut, and we are forced to provide the difference here at the level and the difference is monumental when you consider that we have to provide over a hundred million dollars to maintain the schools, to repair the schools, and this is not because of the children destroying the schools. This is because the schools have not been painted; the roofs have not been

fixed. Some of the schools have not been painted from the first day. It's this economy. This is false economy, and I think it is about time that we begin to see what needs to be done and to provide those things that need to be done.

"Mr. Chairman, thank you very much, and I urge all my colleagues to vote for this very innovative bill.

"Thank you very much."

Representative Kamali'i rose to speak in favor of the bill, stating:

"Mr. Speaker, this bill is long and it is complex. A great many questions and concerns about the actual relief afforded families of different income levels, sizes, and living situations provided in this measure must still be addressed and answered. We do not, at this point, have those answers.

"However, two major components of this bill must be singled out for favorable comment: (1) The repeal of the 4 percent general excise tax on food and drugs; and (2) The inclusion of a graduated hotel room tax.

"Mr. Speaker, the repeal of the 4 percent excise tax on food and drugs has been a Republican platform plank for more than twenty years. We have just never found the money to replace it. Levied as though it were a sales tax, this 4 percent on food and drugs is both regressive and unfair to every segment of our community.

"Particularly obnoxious has been the taxation of sickness. Although we are all vulnerable to illness, there is also no question that age is a significant factor in the seriousness and frequency of disease. Thus, our older citizens are disproportionately taxed when they are literally at their weakest.

"Just as our excise tax has tended to overburden those who are least able to afford a regressive tax, one of the strongest members of our community -- the tourism industry -- has not paid its fair share.

"This proposed graduated increase in the excise tax on transient accommodations is needed. Not merely because it seems to be the right time, or because we simply want to get their money, but because such a replacement of revenues is crucial to offering relief to those in our State who are paying more than their fair share.

"I said earlier that the elimination of the 4 percent on food and drugs is a Republican commitment of long-standing. For many people, there is an assumption that there is also a partisan element, a knee-jerk reaction to opposing any increase in taxes. Maybe I will offend some to say this, but I do not believe that it is Republican heresy to raise taxes to pay for services and programs which are needed and desired by the people of this State.

"The disservice, really, is to neglect those needs or to ignore those desires.

"I can cite no more damaging evidence in this regard than the section on 'artificial surpluses' contained in the Standing Committee Report which accompanies this measure.

"Clearly, the Governor. . . the Governor of this State, has manipulated the budget and State spending to his own whim -- consistently sacrificing legislative intent to executive will. We give him a smorgasbord when we go home, and when we adjourn on April 20th, he will sit back and pick and choose and do just as he darn well pleases.

"The so-called savings?

"We will need millions more, Mr. Speaker, than originally appropriated to repair our schools. We have seen this for many years, as the money's been released in the last twenty years. We will need millions more for County projects involving the roads and sewers and water adequacy. We will need millions more for public health and safety.

"The only surplus we genuinely have is a surfeit of problems.

"We are not describing frills or extravagant new programs that have all sail and no anchor. We are talking about those projects and programs which form the basis of governmental service -- education, transportation, the public well-being. As my colleague from Maui stated, if you really look at what the new federalism is, the President is saying to the state -- pay your way; use your surpluses because 'Big Daddy' isn't going to give it to you anymore.

"On such issues, I would hope that there are no true partisan differences of philosophy or commitment. And they must be paid for; otherwise, we will pay an intolerable social cost, and for these reasons, I will vote aye

and happily work in the conference committee to take care of some of the other concerns.

"Thank you, Mr. Speaker."

Representative Isbell rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill but for totally different reasons. I really believe that. . . well, not all totally different. I do agree with many of the things that have been said but there is something that hasn't been said which I think needs to be.

"The medical services that people have are more important than that prescription drugs. That takes the biggest hunk out of the people who can least afford it. And if we are really looking at tax reform, I would have to agree with most of it but feel that we are talking about food and drugs but we really should be talking about food and medical services. When you do have a medical crisis in your life, you go to the hospital. The amount that you pay is so enormous that that tax alone on that should be an exempt item, drugs, do not constitute a large amount of that. And, of course, your food is the other. Food and medical services.

"I have not ever supported a hotel room tax and I do not necessarily now, and I found out that would be the one thing difficult for me to approach in a conference committee if I am on that committee. The hotel room tax -- no one supported it in any of the hearings that we had. The hotel industry feels that it is going to be a detriment to them. In the original bill, we did not have the hotel room tax and we had enough money to do the things that we wanted, so I do feel if we are going to put the hotel room tax in, that we take medical services as an exemption. And that is where I feel there would be a real good trade-off. At the same time, if we are going to have a hotel room tax, let's give the people who really need it, a break, and the tourist industry maybe some more money.

"So, in that light, I would like to ask my colleagues to vote for this bill and thank you very much."

At 6:05 o'clock p.m., Representative Ikeda asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives

reconvened at 6:07 o'clock p.m.

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

"Mr. Speaker, maybe I am suffering from tunnel vision, or maybe I have lived in Waianae too long but, you know, in this State, we have a bimodal distribution of income -- those who have it and those who don't; those who don't being those of us like myself who earn \$20,000 or less a year. There are three things that we worry about -- food, medicine and rent. And I wish I were in a position to have to worry about being in a position to purchase a \$175,000 home and whether 2 percent increase in the tax would affect that.

"But for my money, I think I speak for the thousands of people out there like me, that this bill will benefit in those areas where we need help the most, and for that reason, I support this bill.

"Thank you, Mr. Speaker."

Representative Medeiros rose and stated:

"Mr. Speaker, I did not intend to talk about this bill this evening but I am compelled to do it at this point. I rise to speak in favor of the bill, Mr. Speaker.

"Fifteen years ago, I walked in this Capitol as an elected official for the first time as a member of the House of Representatives. For fifteen years, I have been hearing my constituents say, 'John, remove the 4 percent tax on food and drugs;' 'John, we need a hotel room tax.' And for the first time, as long as I have been here, this is the furthest I have seen this issue move, and I don't want to lose this vehicle at this point.

"For that reason, Mr. Speaker, I am voting for this bill, and hopefully, the conference will take care of the matters.

"Thank you."

Representative Hagino rose and stated:

"Mr. Speaker, just one last comment which I think illustrates the dilemma and the paradoxes that are on this bill.

"Although the removal of the 4 percent excise tax on drugs appears to be an attempt to reduce health

costs, the 6 percent increase which will be applied to medical practitioners, and especially things like diagnostic testing which are so prevalent in the health industry today, the 6 percent will probably be applied to your hospital room visit and other attendant health costs. We actually see the cost of health care going up, and I think this interplay between the 4 percent being reduced in drugs, the 6 percent being increased in all other aspects of health care, I think really, more than anything else, points out to me the paradox in this bill, and I hope that this paradox will illustrate to others on this floor why I think this bill should be voted down."

Representative Lardizabal rose and stated:

"Mr. Speaker, I hadn't planned to discuss this bill today but I rise to speak in favor of it. I have two short points. Much has been said already by my colleagues across the aisle and next to me.

"First point is this. As the former Director of Finance for a county for about eight years, we struggled every year to set a budget that was equitable and reasonable. And for the first time, and after being one of the first proponents of the revenue-sharing measures some five/six years ago with the State and the counties, I find that this bill will, in fact, help many of our constituents.

"First, when the counties took over the real property tax administration, I became aware for the very first time of the inequity of the system. And if you have had the opportunity as I had for several years to dig into the records, you'd be amazed as I was.

"Second, to make a story short, I would like to paraphrase a very popular man today and his ads go like this, and this I go to my colleagues in Honolulu: 'Honolulu City and County needs your help now. Call the legislators today. Thank you.' "

Representative Menor then rose and requested that his remarks, in favor of the bill with reservations, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Menor's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of S.B. 1185, S.D. 1, H.D. 1, with serious reservations.

"I will be voting for S.B. 1185, S.D. 1, H.D. 1, not because I unequivocally endorse an increase in the excise tax to 6 percent at this time, but because I would like to see further analysis and discussion on various provisions in this bill in a House-Senate conference committee. I recognize that the passage of the bill by the House does not mean that this legislation will be enacted into law. After this House passes this bill, it will be transmitted to a House-Senate conference committee for additional deliberation, at which time legislators like myself will be given additional time to study this measure.

"I am currently in the process of evaluating this bill carefully to determine what impact it would have on my district. For example, I have been personally speaking with several of my constituents and fellow residents, requesting that they contact me in the near future to inform me how the tax changes that are proposed in S.B. 1185, S.D. 1, H.D. 1, would affect their household budgets.

"I would like to emphasize that I will not support a tax bill that will increase the tax burden of my fellow residents because I believe that they are already being heavily taxed. However, I believe that there are a number of provisions in S.B. 1185, S.D. 1, H.D. 1, which should be studied further because they may provide needed tax relief to the families who live in my district. Some of these provisions include the elimination of the 4 percent excise tax on food and prescription drugs and an increase in the homeowner's real property tax exemption to \$175,000. The proposal to increase the real property tax exemption is a recommendation that I am especially interested in because it could bring needed relief to the many homeowners in my district who are burdened with property taxes. I would also like to point out that the bill contains a provision for a hotel room tax which could not be enacted into law if this House were to vote against this measure at this point in time.

"In summary, I have serious reservations about S.B. 1185, S.D. 1, H.D. 1, but I will vote for it to give legislators like myself additional time to study the bill's provisions before the end of this session."

Representative Kiyabu, in rebuttal, stated:

"Mr. Speaker, I believe that this bill does help small business and all

the businesses in this State, but in order to do that, the Senate sent us a whole shopping list of tax exemption bills. If we were to pass all of those bills and pass that and just the hotel room tax, that would not have covered. . .we will still be in a deficit spending.

"I really believe that we are helping businesses. In the high tech, as one speaker said that we are not helping high tech, I want to say that we are eliminating the tax on import of these products for this high tech businesses and in the manufacturing of the product, we are going to eliminate that tax. When they finally get the product finished, when they export that product, we are eliminating that tax, so I don't see how we are anti-business in that area.

"Insofar as the cost of raising the cost on other goods like medical expenses, we are eliminating the use tax and the excise tax on capital goods so if hospitals are buying equipment to run their hospitals and if it is going to cost them a million dollars, then off the bat they are saving \$4,000 in taxes and so that should decrease the cost of medical expenses.

"But I am really disturbed too that one speaker who said that we should cut the cost of spending in government. But those are nice rhetoric. The government is a catalyst in this State. If government does not spend money, let us take for the construction industry. If we don't spend CIP moneys, these companies will be out of business in this State. It was real interesting to note too, Mr. Speaker, that person who talked about cutting cost of government has introduced a bill and sitting in my Committee that wants to authorize \$4.7-million to fix up a project in his district, and I think that's very contradictory.

"Thank you."

Representative Hemmings, in rebuttal, stated:

"I am very proud, Mr. Speaker, to introduce a bill in my district to fix a problem that has been neglected by the State and the County for my entire adult life. A piece of property sitting on some of the most valuable land in the world is laying in shameful neglect. Nowhere, Mr. Speaker, at any time, have I advocated cutting all government spending. I want to cut waste; I want to cut fraud; I want to cut massive incompetence; I want to cut incompetence bordering

on criminal, such as Thrift Guaranty Loan; I want to cut fraud from our welfare systems; I want to cut the government spending that I know we could and should cut.

"And likewise, I do want to spend money to increase benefits to the people who really deserve it. The people who cannot take care of themselves deserve more money from our State coffers. The people that are working hard to get ahead deserve more support. I want more accountability, Mr. Speaker. We should have government spending. That is what government is for but we should have responsible government spending, and I certainly would want to rebut the comments of the previous speaker, and I feel it is awfully unfortunate that he left the appropriation out to fix the natorium because it is long overdue and it is a huge liability and someone is going to stub their toe and lawyers are going to be sitting in the parking lot waiting for it to happen, and we're going to be paying more money and won't even get it fixed.

"Thank you, Mr. Speaker."

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

"I don't know if the Representative from Waikiki is turning Democratic in her thinking or rather that I am turning more Republican as I get older, but I would like her comments incorporated as though they were my own. (By reference only)

"Thank you."

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 S.B. No. 1185, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading by a vote of 37 ayes to 14 noes, with Representatives Andrews, Blair, Cavasso, Grauly, Hagino, Hemmings, Ikeda, Jones, Liu, Marumoto, Onouye, Pfeil, Tam and Yoshimura voting no.

The Chair directed the Clerk to note that S.B. No. 1185 had passed Third Reading at 6:17 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kiyabu, for the

Committee on Finance, presented a report (Stand. Com. Rep. No. 909) recommending that S.B. No. 1432, SD 1, HD 1, pass Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1432, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE", passed Third Reading by a vote of 51 ayes.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 910) recommending that S.B. No. 610, SD 1, HD 1, pass Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 610, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC", passed Third Reading by a vote of 51 ayes.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 911) recommending that S.B. No. 589, SD 2, HD 1, pass Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 589, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 1432, 610 and 589 had passed Third Reading at 6:18 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 912) recommending that S.B. No. 90, SD 1, HD 1, pass Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 90, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSES", passed Third Reading by a vote of 51 ayes.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 913) recommending that S.B. No. 127, SD 1, HD 1, pass Third Reading.

On motion by Representative

Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 127, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", passed Third Reading by a vote of 51 ayes.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 914) recommending that S.B. No. 252, SD 2, HD 1, pass Third Reading.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 252, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT FEES", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 90, 127 and 252 had passed Third Reading at 6:19 o'clock p.m.

Representative Kiyabu, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 915) recommending that S.B. No. 1198, SD 2, HD 1, pass Third Reading.

Representative Blair requested that his remarks, in favor of the bill, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Blair's remarks are as follows:

"Mr. Speaker, I am voting in favor of this bill only because it is necessary to pass this bill on to the Conference Committee, if we are going to pay the depositors of the three failed industrial loan companies the balance of the \$10,000 which was guaranteed by Thrift Guaranty Corporation.

"I realize that we could withhold any payment until the assets of the failed companies have been fully liquidated and the proceeds distributed. However, if we do not act this year, we will have ignored our moral obligation. We should not make these people wait an additional three to five years, and possibly longer, in order to receive their funds.

"Having stated my support for the bill, as necessary to accomplish what I and the majority of my constituents believe is the State's obligation, I must also state certain objections. Earlier today, I expressed my

reservations to the members of the Majority Caucus and to the Chairman of the Consumer Protection and Commerce Committee. I trust that these concerns will be addressed in the Conference Committee. I wish to make it clear that if they are not, I cannot vote for the bill, notwithstanding my strong desire to have depositors reimbursed up to \$10,000.

"My objection, Mr. Speaker, is to the overpayments provided for in this bill. The bill proposes to pay all depositors 100 percent of their deposit. Thus, a person who deposited \$20,000 into a single account would receive not only the \$10,000 that was insured, but the entire \$20,000. There is no legal or moral reason for the State, which means the taxpayers of this State, to compensate anyone beyond the first \$10,000.

"I realize that under this bill, by making full payment to all creditors, the State will move from the position of being an unsecured creditor to the position of being a secured creditor. I also understand that the Chairman of the Consumer Protection and Commerce Committee believes that this change in status will result in benefits which more than compensate for the extra expense. However, Mr. Speaker, under my assessment of the situation, that premise is inaccurate. As I disagree with the fundamental premise, I must disagree with the way this bill is presented to us.

"Therefore, Mr. Speaker, I urge the Chairman of the Finance Committee, the Chairman of the Consumer Protection and Commerce Committee, and whatever members of this body are designated conferees on this bill to adopt a conference draft which only pays up to the first \$10,000 in each account and nothing further.

"Neither am I convinced that the Senate proposal is the best approach. I have serious reservations about their bill, too. I urge the conferees to consider purchasing the creditors positions, up to \$10,000; simply stepping into their shoes. By substituting the State of Hawaii for those creditors, up to \$10,000, the State of Hawaii becomes the largest creditor. We could effectively continue the bankruptcy proceedings and recoup a significant portion of our expenditure from the sale of the assets.

"I also urge that the bill not contain unnecessary provisions to waive interest payments to Thrift Guaranty Corporation or terminate assessments. This issue is highly

charged with concern about non-feasance, malfeasance, and possible violations of law. We owe it to the general public to keep the bill simple so that we do not cloud the issue further.

"I also urge that, after we have settled our account with the depositors, the matter not be allowed to fade away. A full and complete investigation of all aspects of the troubled history of Thrift Guaranty Corporation needs to be undertaken. To do less would be a failure to uphold our fiduciary obligations to the taxpayers of the State.

"Thank you, Mr. Speaker."

Representative Kamali'i rose and stated:

"Maybe our Majority Floor Leader would want these remarks inserted too. Mr. Speaker, I rise to speak against Senate Bill 1198, Senate Draft 2, House Draft 2.

"Mr. Speaker, reluctantly I could, at this point, vote for the Senate version of this bill to reimburse depositors to the insured limit of the \$10,000 per account as originally intended in the State creation of Thrift Guaranty Corporation. Depositors reasonably relied on such insurance for their money and just as reasonably should not expect an amount beyond that limit. That expectation and my own hesitant support for reimbursement is based on State law.

"However, much of the discussion associated with this measure and incorporated in this draft has focused on the moral obligation of the State of Hawaii to depositors in failed industrial loan companies. The moral obligation. But moral obligation is the frightening contradiction when it is applied to an immoral situation.

"In Part 6 of a series of articles by Advertiser reporter Jim Dooley, the failure of Manoa Finance was linked to insider loans more than questionable and clearly objectionable actions by former legislators and unethical intervention by the Governor.

"Is there a moral obligation to cover their actions? Is it moral for all the taxpayers to cover \$184,000 delinquent loan carried by James Ariyoshi? Or a \$94,000 loan co-signed by the Governor's brother on which no payments have been made for nearly ten years. Is it moral for all the taxpayers to cover unpaid loans from

stockholders which also include former Attorney General Ron Amemiya; former Parole Authority Chairman Tom Hugo; former State Representative Charles Ushijima; and present City Budget Director Hiram Kamaka? Stockholders, it appears, who purchased their interest in the company with loans from Manoa Finance.

"Yes, there is a moral obligation here, Mr. Speaker. But it is not one which rests with the taxpayers of Hawaii. The moral obligation is now vigorously to investigate and prosecute criminal wrongdoing in this case. That is the insurance of justice which underlies all public morality, especially from those who are entrusted with public confidence and authority. That is the investment which is shared by every member of our community and the one which we must, at all cost, guarantee. Some small return of that confidence may be regained by voting no on this bill. Such a vote is the true moral obligation which we have to all the people of this State.

"Thank you, Mr. Speaker."

Representative Jones rose and stated:

"Mr. Speaker, just a few short comments in favor of this bill with reservations.

"I am for this bill because of the grandparents and the many senior citizens who trusted some leaders in finance and in government in this State and placed their life savings in these thrifts, and I hate to see them finish their retirement years flat broke. And so I believe that our State does have a moral obligation to cover at least up to \$10,000 of the depositors' losses. But I have very, very serious reservations about this bill, Mr. Speaker, because I am concerned about a whole number of issues which have not yet been addressed.

"First of all, we ask a whole lot of questions and got no answers. We held several Committee hearings and in spite of the good efforts of the Chairman, we did not come up with the answers that many of these depositors are demanding. Why didn't the Administration move in 1977 to have Manoa Finance correct a disturbing practice found by the bank examiner? In 1977, 1978, 1979 -- why? Why didn't the bank examiner ask for a consolidation audit of Manoa Finance as early as 1977? Why did it take until 1982 for DCCA to act and

close Manoa Finance? And who was being protected in that process? Why didn't the Administration have a qualified person handling the day to day operations as bank examiner? Why wasn't there a written policy on what constituted a delinquent loan, nor any set policy on questions like how much real estate in industrial loan could be, or what kinds of investments it could make? Why was Thrift Guaranty coverage given to the institutions without examining each company's books and excluding those in bad financial conditions? We gave blanket coverage and we didn't even look at their books. Why weren't the board members of Thrift Guaranty Corporation drawn from out of. . .

At this point, Representative Souki rose on a point of order and said:

"The speaker across me is supposed to be speaking in favor of the motion with reservations, but up to this point I have heard nothing in favor."

Representative Jones responded:

"Yes, Mr. Speaker, I will answer that question. I am in favor, as I mentioned before, because I do want to see these poor people -- these senior citizens -- have their needs met. But I will vote, and I will vote for this bill in this session but unless these questions are answered, some of them by the Chief Executive of this State, before the Conference Committee report comes out, I will go down because we have to answer these questions for the people of the State of Hawaii.

"Why hasn't the Administration forced the Attorney General to investigate and prosecute these misdeeds? These are serious questions, Mr. Speaker, which I demand must be answered before I will vote aye on the next report that comes out of Committee.

"Thank you very much, Mr. Speaker."

Representative Shito rose to speak in favor of the motion, stating:

"There has been much concern as to the measure that is before us and I know the concern is that because we talk about the 100 percent payoff. However, when we look at the total picture of Manoa Finance, if we are supposed to be paying out only a \$10,000 portion, that amount comes to \$26.7-million. This does not include the \$11.4-million which the 1/3 has already paid out.

"Mr. Speaker, if there is a way and I have advocated this all the time, that if we could pay the \$10,000 as a moral obligation on the part of the State and still have a collateral on this basis so we can recoup, even to the point where we are paying only the \$10,000 portion, I will be the first to put forth the measure. We are working forward in this direction. The total pay out only on the \$10,000 obligated measure with Manoa Finance, with Great Hawaiian, and with Commercial Finance, will come to approximately \$29-million. And I think what we are looking here is, if we are going to put forth this money, we certainly want to have the asset as a collateral to recoup this fund and this is what this measure will do.

"This measure, at the present time in its present form, will recoup at the current asset value of what is available of \$38-million, will reduce the \$27-million that was loaned out on the bond issue to approximately \$9.4-million when it is totally liquidated, and it also calls for the continued assessment of the payment to Thrift Guaranty Corporation which amounts to \$2-million per year.

"And I don't want to mislead anyone here, that I realize there is concern out in the general public as to what the pay out should be -- whether it should be 100 percent or not. Unless we can work around the bankruptcy proceeding which require that if we take on the assets and is under the control of the federal bankruptcy, that we have to pay everyone across the board whether it is insured or uninsured. I think this is where the biggest hangup is at presently, and certainly, if there is a way we can work it out in conference, we would be doing that.

"Thank you."

Representative Liu rose and stated:

"Unfortunately, I have to rise to express my opposition to this bill as drafted. This is not to say that I oppose the intent of this measure because as the speakers before me have stated, I do believe we do have a legal obligation and a moral obligation to take care of many of the depositors in both Manoa Finance and Great Hawaiian Finance.

"However, given the law, given the malfeasance of the Administration during the early and late '70s, failing to force correction on the abuses going on within Manoa Finance, it is clear to me that although relief is

owed in some form to these people, that it should not be in the form as presented in this bill. Our goal should be to resolve the problems for depositors in these two now defunct industrial loan companies at a minimum of risk and cost to all the taxpayers of the State.

"As of now, this plan does not do that. This plan's premises, I would submit, are faulty and therefore the claim that this plan will cost less than the Senate's plan, I believe is false.

"Let's look at some of the values given to the assets of Great Hawaiian and Manoa Finance.

"Based on comparables, based on research in the Multiple Listing Services, I would seriously question the valuation of the 55 lots in the Royal Garden Subdivision even at \$1,000 a lot, the \$300,000 figure for the Campbell Industrial Park property interest, and the \$670,000 figure given for that building located at 547 Halekauwila. This makes to me the \$2.2-million recovery which is projected by the Committee Chair on this subject -- the previous speaker, to me, very suspect. Even the bank examiner's estimated market value of Great Hawaiian's real estate inventory as of December 20th of last year was only \$1.45-million. So unless that \$2.2-million includes other assets, non-real estate assets, I am really at a loss to understand the \$2.2-million recovery figure.

"Further, I think the problem is even deeper upon review of Manoa Finance's real estate property values. The House plan projects a recovery of \$38-million on the sale of Manoa Finance's assets. It really was never made clear in Committee how this figure was arrived at. It was indicated that it was somehow a middle figure between the value given the assets by Manoa Finance's directors prior to bankruptcy, and the trustee in bankruptcy's figures. However, precision continues to be elusive in this sad story.

"But let us assume that the \$38-million was chosen because the bankruptcy trustee of Manoa Finance has set sales prices for the properties that do approximate \$38-million. A review of that schedule indicates and a comparison of those sales prices for other properties in Hawaii and compared to actual comparable sales prices, show that the sales prices set by the trustees are generally fifteen to twenty-five percent higher than what the actual sales price will in the

end of that sale will bring in.

"Example 1. Manoa Estates. The property is now being sold fifteen to twenty percent less than what the trustee had set sales prices for them.

"Example 2. The 107 Makaha Surfside units are all overpriced by at least \$10,000. The trustee's sales prices range from \$43,000 to \$53,000; the MLS has numerous listings for \$33,000 to \$45,000. This misvaluation of property totals over a million dollars for those individual units.

"Example 3. The vacant parcel at Waianae priced at \$2,053,000 will not come close to selling for that amount. I believe a \$500,000 to \$700,000 figure less than the \$2-million would be more appropriate.

"Example 4. We learned that the \$10-million priced Waianae Shopping Mall currently is only commanding offers around \$8-million so already, right there, you have a \$2-million loss.

"I submit that the real total value of Manoa Finance's assets hover around the \$25-million mark, plus or minus \$2-million. But any value is only contingent on how readily one can market these properties, and this is another side to the great risk that the House plan places on all taxpayers. For instance, the selling of 98 fee interest to 98 leasehold apartment owners at 1617 Keeaumoku Street at \$8,000 will be very difficult to sell because (1) the current low lease rent runs for all those apartments until 2024; (2) many of those owners are investors with no real incentives to buy the fee for those apartments; (3) \$8,000 is not a bargain price. I would estimate that less than 65 percent of the owners will opt to purchase those fee interest, and I base that on my experience on working with apartment owners in two similar sized leasehold condominiums that went fee and in both cases, barely 70 percent bought their fees after four years.

"And, therefore, unless Thrift Guaranty Corporation wants to remain in business as a rent collector until the year 2024, we will have a hard time to find a buyer, I believe, who will be willing to serve and then I think if we do find one, it will have to be at a substantial discount.

"There is also the marketing problem of selling property on the mainland. There are properties listed in San Bernardino and in other areas in

California, and I question whether or not we really want to take on the risk of dealing with agents and the market that we are not really familiar with.

"Further, one must consider the cost of managing and maintaining properties until they can be sold. Decisions as to insurance, repairs and whether or not renting should be permitted for certain vacant properties will have to be made. No value for this kind of risk has been made.

"True, under the Senate's plan, the Thrift Guaranty Corporation will also have to make similar decisions. But at least under that plan, I believe there will be a greater incentive for the new board to be created to get in, get their money, and get out expeditiously. I have great doubts whether or not the new board under the House plan with \$32.6-million of general revenue funds on the line -- I really have my doubts whether the incentive is there to move in and out quickly and then if we don't, all that money being left on the line.

"Finally, a large part of the argument favoring this proposal is based on a continued assessment of the existing industrial loan companies for another five years. I believe this is unrealistic. It was noted in Committee that GECC Hawaii is the only GECC office in the country that accepts deposits. GECC could tomorrow change its character and just go into mortgage banking or commercial loans. Further, in this day and age of deregulation of banking and related businesses, I think that many of the industrial loan companies would opt, if they are forced to make these assessments for another five years, would opt to change their character to become a savings and loan, a small bank, or for those which are owned by bank holding companies, to merely merge with their parent companies. Therefore, I believe that \$10-million return to the State which is part of the House plan is less than a certainty.

"In summation, misvaluation of assets, marketing problems associated with those assets and assuming collection of assessments from institutions that may not exist in the future, these are the major flaws that should not be ignored. Further, with the revelations of inaction as I have stated earlier by past bank examiners and involvement of officials at the highest levels of the State that cast a cloud over all in government, I believe it is incumbent upon us that we do not further jeopardize the

taxpayers' trust by betting the \$32.6-million on a plan that is somewhat distorted. I do believe that although there is a problem with the Senate plan in regards to its percentages and the bankruptcy law, that the Senate plan generally is a better plan.

"Thank you, Mr. Speaker."

Representative Anderson rose and stated:

"Very briefly, Mr. Speaker, I would like to speak against the bill.

"I have said before and I will say it again. I don't think that government should be in business, and to return 100 percent of an investment I think is wrong. I think we should go ahead and stand by the insurance that we gave each depositor of \$10,000. But I don't think, in the first place, it should have been where we were. I think that there are many, many ways that we can assist them but to be in business, to completely pay off everybody, take over all assets, I think is wrong. I don't know what the assets are. When we asked in Committee, we were told that some had a complete listing. I am not one of the chosen few, but I would have probably not made heads or tails of it anyway. I am not one that knows real estate that well. I just don't think that at this time that any of us can honestly say that we should be in business, and also anything that the bank examiner gave us, we didn't make any amendments to the bill.

"For that reason, I have to speak against this bill and I hope my colleagues will do the same.

"Thank you, Mr. Speaker."

Representative Cachola rose and stated:

"Mr. Speaker, I have a written statement regarding this bill. Much has been said about it, but in the interest of time, I will rather submit my statement and it be inserted in the Journal. . . I am for the bill with reservations."

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

Representative Cachola's remarks are as follows:

"As a legislator, and more importantly, as a member of our community, I am concerned about the

effects of troubled institutions which directly affect the lives of members of our community.

"I support House Bill No. 1198 with reservations.

"My support of the bill is based on my conviction that the State has a responsibility in guaranteeing savers' deposits under the Thrift Guaranty.

"My reservation lies in the fact that this bill calls to give back 100 percent of investors' savings.

"The insurance of accounts under Thrift Guaranty calls for only up to \$10,000. To give back 100 percent of the investors' savings on accounts in excess of \$10,000 makes a mockery of the insurance of accounts as specifically provided for under the law creating Thrift Guaranty.

"As a member of our community, I am sensitive to the plight of the depositors especially because they are elderly individuals who need their finances at this time of their lives more than ever. I strongly feel, however, that the integrity of our State government is on the line.

"I hope that my concern, if at all possible, will be taken into consideration in Conference Committee.

"With these beliefs, I support House Bill No. 1198 with reservations."

Representative Kim then rose and requested that her remarks, in favor of the bill with reservations, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Kim's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of this bill. However, I will vote for it only with reservations.

"When the failure of a financial institution occurs, we all must sympathize with those immediately impacted--the depositors. In this case, most are hard working, or have worked hard and are now retired. By and large, I believe that they trusted the strength of established institutions, including the State via Thrift Guaranty, to safeguard their interest.

"However, in this unfortunate instance, I do not think that the burden of the repayment should rest with the general taxpayer. I am

afraid that when the State finally tries to recover its expenses from the sale of the assets of Manoa and Great Hawaiian, there will not be enough money to cover the funds that were expended with general fund monies. In any event, we must minimize this loss to the taxpayers of this State by amending the bill in conference to reimburse depositors only up to the guaranteed \$10,000 amount unless specified by the courts.

"Thank you, Mr. Speaker."

Representative Menor then rose and requested that his remarks, in favor of the bill with reservations, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Menor's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of Senate Bill 1198, Senate Draft 2, House Draft 1, with reservations.

"I will vote for this bill because I believe that the State might have an obligation to cover the depositors of Manoa Finance Company and Great Hawaiian Financial Corporation.

"However, I am concerned about the provisions in this bill that require payments to each depositor to the full amount of each deposit even if it exceeds \$10,000. I believe that the State's obligation to make payments is limited to the \$10,000 guaranteed amount which was specifically provided for under the law creating Thrift Guaranty Corporation. Accordingly, I hope that as this bill is further reviewed in Conference Committee, we can determine the feasibility of limiting payments to \$10,000 per deposit while permitting depositors and creditors to collect additional amounts from the eventual liquidation of the assets of Manoa Finance and Great Hawaiian instead of tapping the State treasury.

"Therefore, I am voting for this bill, but with reservations."

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

"First, Mr. Speaker, I would like to commend the Chairman of the Consumer Protection Committee for his work on this bill as well as others.

"I don't think I will be out of line if I were to say that the majority of the depositors would be very happy

to receive just their \$10,000. I believe what we are doing here is to try to maximize the return to the State and to put the State in a better position. And if there are concerns regarding appraisals, operational costs, or about the constitution of the Board of Directors, I am hopeful that we can work some of these things out in conference and even consider the Senate bill as an equal type of thing.

"Thank you."

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the majority of the Committee was adopted and S.B. No. 1198, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT", passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Anderson, Hemmings, Kamali'i, Liu, Marumoto, Medeiros and Pfeil voting no.

The Chair directed the Clerk to note that S.B. No. 1198 had passed Third Reading at 6:43 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 916) recommending that S.B. No. 133, SD 1, HD 1, pass Third Reading.

Representative Pfeil rose to speak against the bill, stating:

"Senate Bill 133 is not a registration bill. It is actually a selective and bad tax bill.

"The Department of Transportation which would administer the registration program, according to its own testimony, has complete access to FAA data regarding aircrafts and pilots.

"The \$5.00 will just create more bureaucracy for the State and I hope my colleagues will agree this isn't needed."

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 133, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF AIRCRAFT", passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Hemmings, Ikeda, Isbell, Jones, Kamali'i, Liu and Pfeil voting no.

The Chair directed the Clerk to note that S.B. No. 133 had passed Third Reading at 6:44 o'clock p.m.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 917) recommending that S.B. No. 1386, SD 1, HD 1, pass Third Reading.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 1386, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES", passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 1386 had passed Third Reading at 6:45 o'clock p.m.

Representative Gaulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 918) recommending that S.B. No. 29 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Gaulty, seconded by Representative Leong and carried, the report of the Committee was adopted and S.B. No. 29, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COUNCIL FOR CHILDREN AND YOUTH", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Levin and Morgado, for the Committees on Higher Education and the Arts and Education, presented a joint report (Stand. Com. Rep. No. 919) recommending that S.B. No. 1290, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Levin, seconded by Representative Kim and carried, the joint report of the Committees was adopted and S.B. No. 1290, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Yoshimura, Honda and Apo, for the Committees on Public Employment and Government Operations; Agriculture; and Ocean and Marine Resources, presented a joint report (Stand. Com. Rep. No. 920) recommending that S.B. No. 160, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kim, seconded by Representative Bunda and carried, the joint report of the

Committees was adopted and S.B. No. 160, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTEE MEMBERSHIP", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Bunda and Tom, for the Committees on Health and Judiciary, presented a joint report (Stand. Com. Rep. No. 921) recommending that S.B. No. 60, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Bunda, seconded by Representative Tom and carried, the joint report of the Committees was adopted and S.B. No. 60, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Morgado and Shito, for the Committees on Education and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 922) recommending that S.B. No. 55 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Morgado, seconded by Representative Shito and carried, the joint report of the Committees was adopted and S.B. No. 55, entitled: "A BILL FOR AN ACT RELATING TO AGENTS OF PRIVATE SCHOOLS AND CORRESPONDENCE SCHOOLS", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Taniguchi and Say, for the Committees on Transportation and Water, Land Use Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 923) recommending that S.B. No. 128, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Taniguchi, seconded by Representative Say and carried, the joint report of the Committees was adopted and S.B. No. 128, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SHORES AND SHORELINES", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Taniguchi and Morgado, for the Committees on Transportation and Education, presented a joint report (Stand. Com. Rep. No. 924) recommending that S.B. No. 1356, SD 1, pass Second

Reading and be placed on the calendar for Third Reading.

On motion by Representative Taniguchi, seconded by Representative Morgado and carried, the joint report of the Committees was adopted and S.B. No. 1356, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Andrews and Bunda, for the Committees on Planning, Energy and Environmental Protection and Health, presented a joint report (Stand. Com. Rep. No. 925) recommending that S.B. No. 634, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Andrews, seconded by Representative Bunda and carried, the joint report of the Committees was adopted and S.B. No. 634, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER LAW VIOLATION PENALTIES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 926) recommending that S.B. No. 166 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Andrews, seconded by Representative Shon and carried, the report of the Committee was adopted and S.B. No. 166, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Say and Yoshimura, for the Committees on Water, Land Use Development and Hawaiian Affairs and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 927) recommending that S.B. No. 260, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Say, seconded by Representative Kim and carried, the joint report of the Committees was adopted and S.B. No. 260, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Say and Andrews, for the Committees on Water, Land Use Development and Hawaiian Affairs and Planning, Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 928) recommending that S.B. No. 1409 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Say, seconded by Representative Andrews and carried, the joint report of the Committees was adopted and S.B. No. 1409, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION EASEMENTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 929) recommending that S.B. No. 1221 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Say, seconded by Representative Tam and carried, the report of the Committee was adopted and S.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 930) recommending that S.B. No. 279 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Say, seconded by Representative Tam and carried, the report of the Committee was adopted and S.B. No. 279, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 931) recommending that S.B. No. 651, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Say, seconded by Representative Tam and carried, the report of the Committee was adopted and S.B. No. 651, SD 1,

entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 932) recommending that S.B. No. 469 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Say, seconded by Representative Tam and carried, the report of the Committee was adopted and S.B. No. 469, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Tom and Shito, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 933) recommending that S.B. No. 434, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Shito and carried, the joint report of the Committees was adopted and S.B. No. 434, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 934) recommending that S.B. No. 843 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 843, entitled: "A BILL FOR AN ACT RELATING TO REFUSAL TO SUBMIT TO A BREATH OR BLOOD TEST", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Com-

mittee on Judiciary, presented a report (Stand. Com. Rep. No. 935) recommending that S.B. No. 125, SD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 125, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 936) recommending that S.B. No. 255 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 255, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE WITH COURT ORDERS IN TRAFFIC CASES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 937) recommending that S.B. No. 563, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 563, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM TRUSTEES' POWERS ACT", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 938) recommending that S.B. No. 742, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 742, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 939)

recommending that S.B. No. 1158 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 1158, entitled: "A BILL FOR AN ACT RELATING TO TRANSFERS TO MINORS", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Shito and Hashimoto, for the Committees on Consumer Protection and Commerce and Housing, presented a joint report (Stand. Com. Rep. No. 940) recommending that S.B. No. 1271, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Hashimoto and carried, the joint report of the Committees was adopted and S.B. No. 1271, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 941) recommending that S.B. No. 1114, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 1114, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 942) recommending that S.B. No. 196 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 196, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and

Commerce, presented a report (Stand. Com. Rep. No. 943) recommending that S.B. No. 188 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 188, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 944) recommending that S.B. No. 213, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 213, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE DETECTIVES AND GUARDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 945) recommending that S.B. No. 198, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 198, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 946) recommending that S.B. No. 190 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 190, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF CONSUMER PROTECTION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 947) recommending that S.B. No. 556, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the majority of the Committee was adopted and S.B. No. 556, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 948) recommending that S.B. No. 230, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 230, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 949) recommending that S.B. No. 203 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 203, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 950) recommending that S.B. No. 182, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 182, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING", passed Second Reading and was placed on the calendar for

Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 951) recommending that S.B. No. 197 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 197, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIR INDUSTRY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 952) recommending that S.B. No. 1178, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 1178, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 953) recommending that S.B. No. 961, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 961, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 954) recommending that S.B. No. 1136 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 1136, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN", passed

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

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 955) recommending that S.B. No. 457, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 457, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 956) recommending that S.B. No. 668 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito,

seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 668, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", passed Second Reading and was placed on the calendar for Third Reading.

ANNOUNCEMENTS

Representative Kawakami announced that "there will be an open Majority caucus tomorrow morning beginning at 9:00 o'clock."

Representative Ikeda announced that "there will be a Republican caucus at 9:00 o'clock also."

ADJOURNMENT

At 6:52 o'clock p.m., on motion by Representative Okamura, seconded by Representative Ikeda and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 2, 1985.

FORTY-EIGHTH DAY

Tuesday, April 2, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the Vice-Speaker presiding.

The Divine Blessing was invoked by the Reverend David Twigg of the Waiānae Samoan Church of Hawaii, after which the Roll was called showing all members present with the exception of Representative Peters who was excused.

By unanimous consent, reading of the Journal was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 372 to 501) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 372) returning House Bill No. 112, entitled: "A BILL FOR AN ACT RELATING TO CHICKEN EGGS", which passed Third Reading in the Senate on April 1, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 373) returning House Bill No. 262, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", which passed Third Reading in the Senate on April 1, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 374) returning House Bill No. 284, entitled: "A BILL FOR AN ACT RELATING TO DRAWBRIDGE ACROSS SECOND CHANNEL INTO HONOLULU HARBOR", which passed Third Reading in the Senate on April 1, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 375) returning House Bill No. 421, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE", which passed Third Reading in the Senate on April 1, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 376) returning House Bill No. 490, HD1, entitled: "A BILL FOR AN ACT RELATING

TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE", which passed Third Reading in the Senate on April 1, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 377) returning House Bill No. 720, HD1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES", which passed Third Reading in the Senate on April 1, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 378) returning House Bill No. 838, HD2, entitled: "A BILL FOR AN ACT RELATING TO TRAILER REGISTRATION", which passed Third Reading in the Senate on April 1, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 379) returning House Bill No. 1360, HD1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", which passed Third Reading in the Senate on April 1, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 380) returning House Bill No. 1, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 381) returning House Bill No. 28, HD1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 382) returning House Bill No. 29, HD1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 13, OF THE HAWAII CONSTITUTION, TO CHANGE THE JURISDICTIONAL AMOUNT REQUIRED FOR JURY TRIALS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 383) returning House Bill No. 33, HD1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 384) returning House Bill No. 39, HD1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 385) returning House Bill No. 40, entitled: "A BILL FOR AN ACT RELATING TO INTEREST", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 386) returning House Bill No. 49, HD2, entitled: "A BILL FOR AN ACT RELATING TO CARE FOR THE ELDERLY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 387) returning House Bill No. 60, HD2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 388) returning House Bill No. 89, HD1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 389) returning House Bill No. 99, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 390) returning House Bill No. 101, HD1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE OF COMMUNITY SERVICES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 391) returning House Bill No. 104, HD2, entitled: "A BILL FOR AN ACT RELATING TO NAMES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate

(Sen. Com. No. 392) returning House Bill No. 108, HD2, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF CASHED WARRANTS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 393) returning House Bill No. 111, HD1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 394) returning House Bill No. 129, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 395) returning House Bill No. 134, HD1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 396) returning House Bill No. 144, HD1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 397) returning House Bill No. 146, HD1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 398) returning House Bill No. 147, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 399) returning House

Bill No. 153, entitled: "A BILL FOR AN ACT RELATING TO MEMBERS OF BOARDS AND COMMISSIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 400) returning House Bill No. 160, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 401) returning House Bill No. 166, HD2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 402) returning House Bill No. 171, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 403) returning House Bill No. 174, HD1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT RELATIONS BOARDS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 404) returning House Bill No. 176, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON MANPOWER AND FULL EMPLOYMENT", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 405) returning House Bill No. 181, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 406) returning House Bill No. 184, HD2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUACULTURE ADVISORY COUNCIL", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 407) returning House Bill No. 188, entitled: "A BILL FOR

AN ACT RELATING TO FISHING", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 408) returning House Bill No. 193, HD2, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 409) returning House Bill No. 194, HD1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETION", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 410) returning House Bill No. 195, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 411) returning House Bill No. 208, HD2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 412) returning House Bill No. 209, HD1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 413) returning House Bill No. 214, HD1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTEE MEMBERSHIP", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 414) returning House Bill No. 223, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate

(Sen. Com. No. 415) returning House Bill No. 227, HD1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 416) returning House Bill No. 229, HD2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 417) returning House Bill No. 230, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 418) returning House Bill No. 231, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 419) returning House Bill No. 232, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MASSAGE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 420) returning House Bill No. 234, HD2, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 421) returning House Bill No. 235, entitled: "A BILL FOR AN ACT RELATING TO PHARMACISTS AND PHARMACY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 422) returning House Bill No. 236, HD2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate

(Sen. Com. No. 423) returning House Bill No. 239, entitled: "A BILL FOR AN ACT RELATING TO BOARDS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 424) returning House Bill No. 240, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSIONER OF FINANCIAL INSTITUTIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 425) returning House Bill No. 263, HD1, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF STATE TAX REFUNDS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 426) returning House Bill No. 264, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 427) returning House Bill No. 265, HD1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 428) returning House Bill No. 266, HD1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 429) returning House Bill No. 267, HD1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 430) returning House Bill No. 268, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate

(Sen. Com. No. 431) returning House Bill No. 281, HD2, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY FUND", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 432) returning House Bill No. 311, HD1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 433) returning House Bill No. 329, HD1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 434) returning House Bill No. 333, HD1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 435) returning House Bill No. 346, HD1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 436) returning House Bill No. 347, HD1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 437) returning House Bill No. 352, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 438) returning House Bill No. 353, entitled: "A BILL FOR AN ACT RELATING TO LANDLORD AND TENANT", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate

(Sen. Com. No. 439) returning House Bill No. 354, HD2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 440) returning House Bill No. 355, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 441) returning House Bill No. 363, HD1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' EDUCATION FUND UNDERWRITERS' FEE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 442) returning House Bill No. 382, entitled: "A BILL FOR AN ACT RELATING TO JURORS' MILEAGE FEE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 443) returning House Bill No. 401, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 444) returning House Bill No. 404, HD2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 445) returning House Bill No. 434, HD1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 446) returning House Bill No. 436, HD2, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate

(Sen. Com. No. 447) returning House Bill No. 453, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 448) returning House Bill No. 460, HD1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEY'S FEES, COSTS, AND EXPENSES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 449) returning House Bill No. 463, HD2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 450) returning House Bill No. 465, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 451) returning House Bill No. 479, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FISH", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 452) returning House Bill No. 488, HD1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 453) returning House Bill No. 492, HD1, entitled: "A BILL FOR AN ACT RELATING TO BEES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 454) returning House Bill No. 502, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 455) returning House

Bill No. 509, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 456) returning House Bill No. 519, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 457) returning House Bill No. 520, HD1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 458) returning House Bill No. 522, HD1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY RETIREMENT", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 459) returning House Bill No. 557, HD1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPARATIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 460) returning House Bill No. 558, HD1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 461) returning House Bill No. 614, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 462) returning House Bill No. 674, HD1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT AND RECALL LISTS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate

(Sen. Com. No. 463) returning House Bill No. 697, HD1, entitled: "A BILL FOR AN ACT RELATING TO REPORTING OF PENAL CODE OFFENSES OCCURRING IN PUBLIC SCHOOLS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 464) returning House Bill No. 743, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 465) returning House Bill No. 755, entitled: "A BILL FOR AN ACT RELATING TO OSTEO-PATHIC EXAMINERS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 466) returning House Bill No. 757, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 467) returning House Bill No. 759, entitled: "A BILL FOR AN ACT RELATING TO PHARMACY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 468) returning House Bill No. 761, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 469) returning House Bill No. 776, HD2, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 470) returning House Bill No. 824, HD1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES UNDER SECTION 103-10, HAWAII REVISED STATUTES, AS AMENDED", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 471) returning House Bill No. 830, HD1, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 472) returning House Bill No. 839, HD1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 473) returning House Bill No. 921, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 474) returning House Bill No. 949, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 475) returning House Bill No. 989, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 476) returning House Bill No. 995, HD2, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 477) returning House Bill No. 997, HD1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE'S RENTAL ASSISTANCE PROGRAM", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 478) returning House Bill No. 1054, HD1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

placed on file.

A communication from the Senate (Sen. Com. No. 479) returning House Bill No. 1056, HD1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS OF INSURERS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 480) returning House Bill No. 1059, HD1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A REVIEW OF HAWAII'S INSURANCE LAWS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 481) returning House Bill No. 1131, HD2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 42", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 482) returning House Bill No. 1162, HD1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND SURVIVING IMMEDIATE FAMILY MEMBERS TO NOTIFICATION OF PAROLE OR RELEASE OF A PRISONER", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 483) returning House Bill No. 1163, HD2, entitled: "A BILL FOR AN ACT RELATING TO CHILD VICTIMS AND WITNESSES: RIGHTS AND SERVICES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 484) returning House Bill No. 1166, HD2, entitled: "A BILL FOR AN ACT RELATING TO VICTIM NOTIFICATION REQUIREMENTS OF CONDITIONAL RELEASE CENTERS: FURLOUGHS FOR PRISONERS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 485) returning House Bill No. 1231, HD2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", which passed Third Reading in the Senate on April 1, 1985, in an amended

form, was placed on file.

A communication from the Senate (Sen. Com. No. 486) returning House Bill No. 1239, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 487) returning House Bill No. 1243, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE COOPERATIVE ASSOCIATIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 488) returning House Bill No. 1246, HD1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 489) returning House Bill No. 1257, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 490) returning House Bill No. 1270, HD1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 491) returning House Bill No. 1271, HD2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 492) returning House Bill No. 1275, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 493) returning House Bill No. 1285, HD2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL RECORD CLEARANCE", which passed Third Reading in the

Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 494) returning House Bill No. 1350, HD1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 495) returning House Bill No. 1354, HD1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 496) returning House Bill No. 1356, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 497) returning House Bill No. 1357, HD1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 498) returning House Bill No. 1366, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 499) returning House Bill No. 1386, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 500) returning House Bill No. 1393, HD2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL", which passed Third Reading in the Senate on April 1, 1985, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 501) returning House Bill No. 1547, HD1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS", which passed Third Reading in the Senate on April 1, 1985, in an amended

form, was placed on file.

By unanimous consent, H.B. Nos. 1, HD1; 28, HD1; 29, HD1; 33, HD1; 39, HD2; 40, HD2; 49, HD2; 60, HD2; 89, HD1; 99, HD1; 101, HD1; 104, HD2; 108, HD2; 111, HD1; 129, HD1; 134, HD1; 144, HD1; 146, HD1; 147, HD1; 153, HD1; 160, HD2; 166, HD2; 171, HD1; 174, HD1; 176, HD1; 184, HD2; 188, HD2; 193, HD2; 194, HD1; 195, HD2; 208, HD2; 209, HD1; 214, HD1; 223, HD1; 227, HD1; 229, HD2; 230, HD1; 231, HD1; 232, HD1; 234, HD2; 235, HD2; 236, HD2; 239, HD1; 240, HD1; 263, HD1; 264, HD1; 267, HD1; 268, HD1; HD2; 311, HD1; 329, HD1; 333, HD1; 346, HD1; 347, HD1; 352, HD1; 353, HD2; 355, HD1; 363, HD1; 382, HD1; 401, HD2; 434, HD1; 436, HD2; 453, HD1; 460, HD1; 463, HD2; 465, HD1; 488, HD1; 492, HD1; 502, HD1; 509, HD1; 520, HD1; 522, HD1; 557, HD1; 558, HD1; 614, HD1; 674, HD1; 697, HD1; 743, HD1; 755, HD1; 757, HD1; 759, HD1; HD2; 824, HD1; 830, HD1; 839, HD1; 921, HD1; 949, HD1; 989, HD2; 995, HD2; 997, HD1; 1054, HD1; 1056, HD1; 1059, HD1; 1131, HD2; 1162, HD1; 1163, HD2; 1166, HD2; 1231, HD2; 1239, HD1; 1243, HD1; 1246, HD1; 1257, HD1; 1270, HD1; 1271, HD2; 1275, HD1; 1285, HD2; 1350, HD1; 1354, HD1; 1356, HD1; 1357, HD1; 1366, HD1; 1386, HD1; 1393, HD2; and 1547, HD1, were placed on the Clerk's desk and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 1, HD1, SD1; 28, HD1, SD1; 29, HD1, SD1; 33, HD1, SD1; 39, HD2, SD2; 49, HD2, SD2; 60, HD2, SD2; 99, HD1, SD2; 101, HD1, SD2; 104, HD2, SD1; 108, HD2, SD1; 111, HD1, SD1; 129, SD1; 134, HD1, SD1; 144, HD1, SD1; 146, HD1, SD1; 147, HD1, SD1; 153, SD1; 160, SD1; 166, HD2, SD2; 171, SD1; 174, HD1, SD1; 176, SD1; 181, SD1; 184, HD2, SD2; 188, SD1; 193, HD2, SD1; 194, HD1, SD2; 195, SD1; 208, HD2, SD1; 209, HD1, SD1; 214, HD1, SD1; 223, HD1, SD1; 227, HD1, SD1; 229, HD2, SD1; 230, HD1, SD1; 231, SD1; 232, HD1, SD1; 234, HD2, SD1; 235, SD1; 236, HD2, SD1; 239, SD1; 240, HD1, SD1; 263, HD1, SD1; 264, SD1; 265, HD1, SD1; 266, HD1, SD1; 267, HD1, SD2; 268, SD1; 281, HD2, SD2; 311, HD1, SD1; 329, HD1, SD2; 333, HD1, SD1; 346, HD1, SD1; 347, HD1, SD1; 352, SD1; 353, SD1; 354, HD2, SD2; 355, SD1; 363, HD1, SD1; 382, SD1; 401, SD1; 404, HD2, SD1; 434, HD1, SD1; 436, HD2, SD2; 453, HD1, SD1; 460, HD1, SD1; 463, HD2, SD2; 465, SD1; 479, HD1, SD1; 488, HD1, SD1; 492, HD1, SD1; 502, SD1; 509, SD1; 519, SD1; 520, HD1, SD1; 522, HD1, SD1; 557, HD1, SD1; 558, HD1, SD1; 614, HD1, SD1; 674, HD1, SD1; 697, HD1, SD2; 743, HD1, SD1; 755, SD1; 757, SD1; 759, SD1; 761,

SD1; 776, HD2, SD1; 824, HD1, SD1; 830, HD1, SD1; 839, HD1, SD1; 921, HD1, SD1; 949, SD1; 989, SD1; 995, HD2, SD1; 997, HD1, SD1; 1054, HD1, SD1; 1056, HD1, SD1; 1059, HD1, SD2; 1131, HD2, SD1; 1162, HD1, SD1; 1163, HD2, SD1; 1166, HD2, SD1; 1231, HD2, SD1; 1239, HD1, SD1; 1243, SD1; 1246, HD1, SD2; 1257, SD1; 1270, HD1, SD1; 1271, HD2, SD1; 1275, HD1, SD2; 1285, HD2, SD1; 1350, HD1, SD1; 1354, HD1, SD1; 1356, SD1; 1357, HD1, SD1; 1366, SD1; 1368, SD1; 1393, HD2, SD1; and 1547, HD1, SD1, were made available to the members of the House at 11:30 o'clock a.m.

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

Representative Pfeil introduced Ms. Gerrie Morrison, who is the executive director of the West Maui Taxpayers' Association.

Representative Crozier introduced Mr. Wally Zoeller, "a very special friend of mine and is one of the backbone of the volunteer group in Makakilo."

Representative Morgado, on behalf of Representatives Tungpalan and Hashimoto, introduced sixty-five third grade students from Pearl City Highlands Elementary School who were accompanied by teachers, Mrs. Mukaisu, Mrs. Miyagi, Mrs. Takara and Miss Laura Yonamine.

SUSPENSION OF RULES

On motion by Representative Okamura, seconded by Representative Ikeda and carried, the rules were suspended for the purpose of considering certain resolutions out of order.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 376 to 379) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 376) honoring Pearl Ching for her service to Hawaii's gifted and talented children was offered by Representative Morgado.

On motion by Representative Morgado, seconded by Representative Shito and carried, H.R. No. 376 was adopted.

Representative Morgado then rose and stated:

"It is a great honor, this morning, that we have our honoree with us. We talked very much about basic needs of our school students, and I think sometimes we fail to recognize the basic needs of the population of students that our honoree has dedicated her life in the Department of Education to.

"The gifted and talented program is, in fact, a basic need to this population of students and I, for one, am very grateful for the hard work, the pioneering efforts of Miss Ching in establishing a program that I'm sure all of us here will be very proud to say, that were part of the Thirteenth State Legislature and we were a big part in the foundation of such a program -- funding and seeing that this program get off the ground in a proper manner.

"Lots of thanks have to go out to this pioneer in such a program, because in an environment of fiscal restraint, it is very easy to say the gifted and talented program is a program that is one of frills. It is not. We are very appreciative of her efforts."

At this time, Mrs. Ching was introduced by Representative Morgado. Accompanying Mrs. Ching was her husband, Mr. Harold Ching, and both were asked to stand and be recognized.

Also accompanying the honoree and her husband are the pioneers who will pick up after Mrs. Ching retires, Grace Furukawa and Mary Piedler, who were also asked to stand and be recognized.

Floral leis were presented to the honorees by Representatives Kiyabu, Hirono, Levin, and Shito and a certified copy of the resolution was presented to the honoree by Representative Okamura.

The Chair then stated:

"The Chair just hopes that those Representatives that you recognize as gifted and talented are gifted and talented in all the right areas."

At this time, Representative Okamura rose to say a few words and directed by the Chair "to proceed", stated:

"I have known Mrs. Ching since I served on the Board of Education in

1979 and 1980, and I personally would like to thank her very much for all of her hard work.

"The gifted and talented program has been a real uphill battle and I can't thank her enough for her dedication, and I know her contributions are still going to continue. She has offered to continue working with Grace Furukawa and others and I just want to say thank you very, very much."

A resolution (H.R. No. 377) recognizing Hawaii's professional nurses on May 6, 1985 as Nurses Day in Hawaii was jointly offered by Representatives Tungpalan, Anderson, Andrews, Apo, Blair, Cachola, Grauly, Hashimoto, Honda, Ikeda, Isbell, Jones, Kawakami, Kim, Lardizabal, Liu, Marumoto, Medeiros, Menor, Metcalf, Nakasato, Nakata, Okamura, Onouye, Oshiro, Say, Shito, Shon, Souki, Takamine, Tam and Taniguchi.

On motion by Representative Tungpalan, seconded by Representative Blair and carried, H.R. No. 377 was adopted.

Representative Tungpalan rose and stated:

"Mr. Speaker, on behalf of you and the members of this distinguished House, it is my pleasure to introduce individuals who play important roles in the lives of nurses.

"Before I introduce them, I'd like to share with you a few of my thoughts on nursing.

"When I think of a nurse, I think of a person who is warm, sympathetic, compassionate, tender and caring. Someone all of us would like to be near in time of sickness. A nurse is a professional who carries out her work without much fanfare. She respects the sanctity of life, having been a witness many times to its beginnings and endings. She is a person who cannot slip out of being a nurse simply with the change of her uniform. Many individuals are alive today because of the acts of mercy performed by nurses who are off duty.

"Mr. Speaker, and my fellow colleagues, as a member of this esteemed profession, I'm honored to present to you the following individuals: Miss LoRaine Carlson, President of the Hawaii Nurses' Association; Dr. Jean Lum, Dean, University of Hawaii School of Nursing; Dr. Hessel Flitter, Director, Nursing and Health

Care Studies at Hawaii Loa College; Ms. Elizabeth Waite, Chair, State of Hawaii Board of Nursing; Sally Hamada, Nurse Coordinator, County/State Hospitals of the State of Hawaii; and Marion Poirier, Executive Director of the Hawaii Nurses' Association."

Floral leis were presented to the honorees by Representatives Okamura, Takamine, Lardizabal, Taniguchi and Morgado and Representative Tungpalan presented the honorees with certified copies of the resolution.

Representative Tungpalan also recognized a group of nurses who were seated in the gallery.

A resolution (H.R. No. 378) honoring professional secretaries on the occasion of Professional Secretaries' Day, April 24, 1985, and the Professional Secretaries' Week, April 21-27, 1985 was jointly offered by Representatives Metcalf, Taniguchi, Anderson, Andrews, Apo, Blair, Cachola, Cavasso, Crozier, Grauly, Hashimoto, Hemmings, Honda, Ige, Ikeda, Isbell, Jones, Kamali'i, Kihano, Kim, Leong, Levin, Lindsey, Liu, Marumoto, Medeiros, Menor, Morgado, Nakasato, Okamura, Onouye, Oshiro, Pfeil, Say, Shito, Shon, Souki, Tajiri, Takamine, Tam, Tom, Tungpalan and Yoshimura.

On motion by Representative Metcalf, seconded by Representative Taniguchi and carried, H.R. No. 378 was adopted.

Representative Metcalf then rose and stated:

"Mr. Speaker, present with us today representing the Professional Secretaries International, are Madelyn Chang and Mitsuyo Yanada.

"Madelyn Chang is the president of the Hawaii Division of Professional Secretaries' International which is composed of six chapters from Hawaii, Maui, Oahu and Kauai. They are 319 members in the Hawaii division.

"For sixteen years, Madelyn was a secretary at Kahala Hilton. She is now the senior assistant manager of the Kahala Hilton.

"With us also is Mitsuyo Yanada. Mitsuyo is a member of my staff and also a former secretary to Mayor Herbert Matayoshi. Beyond that, she happens to be the sister of our former Senate President, John Ushijima. Mitsuyo Yanada was selected by the Big Island chapter of Professional Secretary International as 1984 Secre-

tary of the Year. She will relinquish her reign to the 1985 secretary of the year of the Big Island chapter during Secretaries' Week this year."

At this time, Representatives Taniuchi and Tom presented leis to the honorees and Representative Metcalf presented Ms. Chang and Ms. Yanada with certified copies of the resolution.

A resolution (H.R. No. 379) congratulating the Foster Grandparent Program on its 20th anniversary was jointly offered by Representatives Grauly and Leong.

On motion by Representative Grauly, seconded by Representative Leong and carried, H.R. No. 379 was adopted.

Representative Grauly then rose and stated:

"Mr. Speaker, yesterday marked the beginning of the 20th year of the operation of the Foster Grandparent Program, and this morning, it is my great honor to recognize the program and four foster grandparents all of whom have been with the program since its inception in 1965.

"The Foster Grandparent Program is administered by the Federal Action Agency through our Department of Social Services and Housing. The program is designed to provide love, care, friendship, guidance and supplemental training to children with special needs from birth to twenty-one years of age. They include the developmentally disabled, the learning disabled, juvenile delinquents, abuse and neglected children and others.

"Participants in the program need to be 60 years of age and older and be of limited financial means. Foster grandparents receive a modest stipend of \$2.20 per hour, and serve four hours daily Monday through Friday, and are assigned two or more children per day.

"The interaction with the children include working with teachers to provide supplemental training in daily living skills, tutoring basic academic skills, doing gross and fine motor skills exercises, teaching crafts and augmenting the emotional, physical, psychological and cognitive development of the children.

"Today, the Foster Grandparent Program's major focus has shifted from Waimano Home to community-based programs on Oahu, Maui and the Big Island of Hawaii. The pro-

gram now include 90 foster grandparents and serves 36 different stations which include our public, elementary and intermediate schools and day centers which serve the needs of exceptional children, Head Start, Kula Hospital, the Hawaii Youth Correctional Facility and others.

"The Foster Grandparent Program has provided a very special service to hundreds of young children -- a service that money can't buy -- that service -- tender, loving care.

"This morning, we honor this wonderful program and four outstanding foster grandparents.

"First of all, when 87 year old Madelyn Ota joined the program in 1965, she did not think she could last long because every night when she went home, she could not take the children off her mind. She was advised to take one day at a time. She, of all people, did not think she would have served 20 years. A highly spirited person, she brought sunshine to the children around her. Nothing was too good for the children. She took the foster grandchildren's clothing home to wash, she even took her Janice home on weekends.

"Twenty years ago, she could go hiking with the staff and keep up. Today, her gait is slower and often pained with arthritis, but her spirit never lets up. The pain seems to go away when she is with the children and the children are so precious to her."

At this time, Representative Grauly introduced Mrs. Ota who was asked to stand and be recognized.

Representative Grauly continued his remarks, stating:

"At age 60, Therese Rapoza was referred to the program by the State Employment Program. Too young for retirement and full of vim and vigor, she began with the program at its inception in 1965. She had some moments of doubts because the work involved working with retarded children was something she had no experience in. Even her family wondered whether she would last a full year. Twenty years of service was inconceivable.

"Her energies were directed to giving the children the very best personal care. Each day the children were groomed, taken for walks,

helped at the table, given self-help skills training and so on. She had several bouts with illnesses, but she said the thoughts of the children at Waimano make her think less of her own illnesses. With those thoughts and indomitable spirit, she can come back to work again and again."

Representative Gaulty then introduced Mrs. Rapoza who was asked to stand and be recognized.

Representative Gaulty, continued:

"In 1965, Myrtle Toulow had not been in the islands very long and had difficulty finding a job. She was full of energy and in fact, she had left a full time demanding job in New York as a youth corrections worker. Since she couldn't find a job, she joined the Foster Grandparent Program with the intent of staying no longer than one year until she found a job. Unable to find a full-time job, she soon got so involved with the children at Waimano Training School and Hospital that the years went by quickly.

"Mrs. Toulow has a quiet, calming effect on the children, so when especially difficult children needed a calming influence, Mrs. Toulow was always sought out.

"At 81 years of age, Myrtle Toulow is a much-treasured foster grandparent at the Pearl Harbor Elementary School preschool learning impaired class."

Representative Gaulty then introduced Mrs. Toulow who was asked to stand and be recognized.

Representative Gaulty, continuing his remarks, stated:

"At age 66 with a retired husband at home who wanted much of her attention, Mrs. Yukio Yoshimoto was ready to apply for the new program she read about in the newspapers.

"Although she needed a diversion, she was somewhat hesitant because of the distance and her unfamiliarity with mentally retarded children.

"The population in Waimano was quite different in 1965. There were many residents who were ambulatory and who were being trained in daily living skills. At the young age of 66, Mrs. Yoshimoto accompanied the children to the many training classes and the outdoors.

"She could be seen running with

the children or walking with the children up and down the hills at Waimano. Today, the population is very different, but nevertheless, she has continued to exert the same type of energy in providing the personalized care to the children. She, like the others, did not think she would have worked so long. She often told her children that in a few years she would quit. But the time went so fast that each time she gave herself a deadline, she could not but exceed it.

"Today, at age 86, she isn't making any more predictions about her retirement."

At this time, Representative Gaulty introduced Mrs. Yoshimoto who was asked to stand and be recognized.

Accompanying the four foster grandparents is the director of the Foster Grandparent Program, Miss Renee Nakama.

Also introduced and recognized by Representative Gaulty and seated in the gallery, was a group of about 40 foster grandparents all of whom participate in the Foster Grandparent Program.

A red carnation lei was presented to Mrs. Ota by Representative Leong; to Mrs. Rapoza by Representative Liu; to Mrs. Toulow by Representative Kihano; to Mrs. Yoshimoto by Representative Cachola; and to Miss Nakama by Representative Morgado. Representative Gaulty presented the honorees with certified copies of the resolution.

At this time, Representative Kiyabu rose to make a special introduction, stating:

"Mr. Speaker, and members of this Honorable Body: I am honored this morning to present to you 12 Assemblymen from Fukuoka Prefecture, our sister state from Fukuoka, and they are visiting Hawaii in commemoration of the Kanyaku Imin. They are led by Mr. Itaro Shinoda."

Representative Kiyabu then asked the group, who were seated in the gallery, to stand and be recognized.

At 12:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair "to allow all of you to extend your best wishes and aloha to our honorees here, this morning."

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

SUSPENSION OF RULES

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

STANDING COMMITTEE REPORTS

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 957) recommending that S.B. No. 245, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 958) recommending that S.B. No. 141, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 959) recommending that S.B. No. 663, SD2, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 960) recommending that S.B. No. 154, SD2, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 961) recommending that S.B. No. 155, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 962) recommending that S.B. No. 162, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 963) recommending that S.B. No. 1195, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 964) recommending that S.B. No. 1274, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 965) recommending that S.B. No. 1350, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 966) recommending that S.B. No. 1351, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 967) recommending that S.B. No. 1392, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 968) recommending that S.B. No. 1397, SD2, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 969) recommending that S.B. No. 1443, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 970) recommending that S.B. No. 36, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 971) recommending that S.B. No. 112, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 972) recommending that S.B. No. 82, SD2, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 973) recommending that S.B. No. 6, SD2, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 974) recommending that S.B. No. 165, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 975) recommending that S.B. No. 187, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 976) recommending that S.B. No. 100, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 977) recommending that S.B. No. 73, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 978) recommending that S.B. No. 27, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 979) recommending that S.B. No. 69, SD2, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 980) recommending that S.B. No. 202, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 981) recommending that S.B. No. 287, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 982) recommending that S.B. No. 379, SD1, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 983) recommending that S.B. No. 426, SD2, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 984) recommending that S.B. No. 470, SD2, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 985) recommending that S.B. No. 689, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 986) recommending that S.B. No. 557, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 987) recommending that S.B. No. 714, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 988) recommending that S.B. No. 936, pass Third Reading.

By unanimous consent, action was deferred one day.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 989) recommending that S.B. No. 1179, pass Third Reading.

By unanimous consent, action was deferred one day.

Representatives Apo and Levin, for the Committees on Ocean and Marine Resources and Higher Education and the Arts, presented a joint report (Stand. Com. Rep. No. 990) recommending that H.R. No. 172, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Apo, seconded by Representative Levin and carried, the joint report of the Committees was adopted and H.R. No. 172, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUBMIT A STATUS REPORT ON THE DEVELOPMENT OF THE SNUG HARBOR MARINE CENTER", was referred to the Committee on Finance.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 991) recommending that H.R. No. 181 be referred to the Committee on Finance.

Representative Apo moved that the report of the Committee be adopted and H.R. No. 181 be referred to the Committee on Finance, seconded by Representative Shon.

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

"Mr. Speaker, apparently when the Hawaii Admissions Act was put together in negotiations with the Federal Government, the State of Hawaii, apparently by default, failed to make any claims of jurisdiction over the archipelagic waters of the state, which has traditionally been recognized by other foreign governments as part of the Kingdom. And apparently in this day and age, with such discoveries as the presence of cobalt in manganese crusts both north

of Kauai and south of the Big Island, this issue is going to loom larger and larger in terms of the economic impact that it possibly could have for Hawaii.

"So the question of archipelagic claim, I think, is one that is very serious that holds possibly some great promise for the State of Hawaii; and until this issue is settled with the federal government -- there are several claims on the books that we are investigating right now -- until this is settled, we are going to be in a very tenuous position in being able to lay any kind of claim for some of these economic benefits within our 600,000 mile economic zone; and for that reason, I support this resolution. I think it's an important one and we ought to proceed post haste with this work.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, the report of the Committee was adopted and H.R. No. 181 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO PREPARE A SUMMARY OF THE STATE ATTORNEY GENERAL'S FORTHCOMING OPINION ON THE VALIDITY OF THE STATE'S CLAIM TO ARCHIPELAGIC WATERS IN THE STATE", was referred to the Committee on Finance.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 992) recommending that H.C.R. No. 48 be referred to the Committee on Finance.

On motion by Representative Apo, seconded by Representative Shon and carried, the report of the Committee was adopted and H.C.R. No. 48 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO PREPARE A SUMMARY OF THE STATE ATTORNEY GENERAL'S FORTHCOMING OPINION ON THE VALIDITY OF THE STATE'S CLAIM TO ARCHIPELAGIC WATERS IN THE STATE", was referred to the Committee on Finance.

Representative Yoshimura, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 993) recommending that H.C.R. No. 11 be referred to the Committee on Finance.

On motion by Representative

Oshiro, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE COLLECTIVE BARGAINING LAW", was referred to the Committee on Finance.

At 12:26 o'clock p.m., Representative Okamura asked for a recess, and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:27 o'clock p.m.

Representative Yoshimura, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 994) recommending that H.R. No. 202, as amended in HD1, be referred to the Committee on Legislative Management.

On motion by Representative Oshiro, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.R. No. 202, HD1, entitled: "HOUSE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM", was referred to the Committee on Legislative Management.

Representative Yoshimura, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 995) recommending that H.C.R. No. 57, as amended in HD1, be referred to the Committee on Legislative Management.

On motion by Representative Oshiro, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.C.R. No. 57, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM", was referred to the Committee on Legislative Management.

Representative Morgado, for the Committee on Education, presented a report (Stand. Com. Rep. No. 996) recommending that H.R. No. 288, be referred to the Committee on Finance.

On motion by Representative Morgado, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.R. No. 288, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY OF THE FEASIBILITY OF ALLOWING TENURED TEACHERS TO RETURN TO COLLEGE WITH FULL PAY IN ORDER

TO OBTAIN THE NECESSARY CREDITS FOR CERTIFICATION TO TEACH MATHEMATICS OR SCIENCE", was referred to the Committee on Finance.

Representative Morgado, for the Committee on Education, presented a report (Stand. Com. Rep. No. 997) recommending that H.R. No. 217, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Morgado, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.R. No. 217, HD1, entitled: "HOUSE RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION", was referred to the Committee on Finance.

Representative Morgado, for the Committee on Education, presented a report (Stand. Com. Rep. No. 998) recommending that H.C.R. No. 66, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Morgado, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.C.R. No. 66, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION", was referred to the Committee on Finance.

Representative Morgado, for the Committee on Education, presented a report (Stand. Com. Rep. No. 999) recommending that H.R. No. 221, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Morgado, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.R. No. 221, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT POLICIES TO IMPROVE THE CONDITION OF TEMPORARY TEACHING ASSIGNMENT APPOINTEES", was referred to the Committee on Finance.

Representative Morgado, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1000) recommending that H.C.R. No. 68, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Morgado, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.C.R.

No. 68, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT POLICIES TO IMPROVE THE CONDITION OF TEMPORARY TEACHING ASSIGNMENT APPOINTEES", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTION

By unanimous consent, the following resolution (H.R. No. 375) was referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 375) requesting a recommendation on the composition of an altered Board of Dental Examiners which includes a proportionate representation of dental hygienists was offered by Representative Bunda.

THIRD READING

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

S.B. No. 29:

By unanimous consent, action was deferred one day.

S.B. No. 1290, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 160, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 60, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 55:

By unanimous consent, action was deferred one day.

S.B. No. 128, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 1356, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 634, SD1:

By unanimous consent, action was

deferred one day.

S.B. No. 166:

By unanimous consent, action was deferred one day.

S.B. No. 260, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 1409:

By unanimous consent, action was deferred one day.

S.B. No. 1221:

By unanimous consent, action was deferred one day.

S.B. No. 279:

By unanimous consent, action was deferred one day.

S.B. No. 651, SD1:

By unanimous consent, action was deferred one day.

S.B. 469:

By unanimous consent, action was deferred one day.

S.B. No. 434, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 843:

By unanimous consent, action was deferred one day.

S.B. No. 125, SD2:

By unanimous consent, action was deferred one day.

S.B. No. 255:

By unanimous consent, action was deferred one day.

S.B. No. 563, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 742, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 1158:

By unanimous consent, action was deferred one day.

S.B. No. 1271, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 1114, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 196:

By unanimous consent, action was deferred one day.

S.B. No. 188:

By unanimous consent, action was deferred one day.

S.B. No. 213, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 198, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 190:

By unanimous consent, action was deferred one day.

S.B. No. 556, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 230, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 203:

By unanimous consent, action was deferred one day.

S.B. No. 182, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 197:

By unanimous consent, action was deferred one day.

S.B. No. 1178, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 961, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 1136:

By unanimous consent, action was deferred one day.

S.B. No. 457, SD1:

By unanimous consent, action was deferred one day.

S.B. No. 668:

By unanimous consent, action was deferred one day.

ANNOUNCEMENTS

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

Representative Anderson on a late introduction, introduced Ms. Ellie Hutchinson, a member of the Kailua Hawaiian Civic Club.

Representative Oshiro: "Your Committee on Transportation will be having a public hearing tomorrow morning at 9:00 a.m. in Conference Room 310. Decision making to follow."

Representative Morgado: "Just a reminder to House Education members: If you plan to attend this afternoon's hearing, it's at 3:30 instead of the usual 1:30 start time, and we will be discussing several resolutions. Decision making to follow, if time permits."

Representative Ikeda: "There will be a Republican caucus at 10:00 tomorrow morning."

Representative Okamura: "On behalf of all the members, I would like to wish a very special 'Happy Birthday' to Representative Bob Nakata."

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Representative Okamura, seconded by Representative Ikeda and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, Wednesday, April 3, 1985.

FORTY-NINTH DAY

Wednesday, April 3, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:10 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Lieutenant Commander Robert Santry, Chaplain of the United States Navy, after which the Roll was called showing all members present with the exception of Representatives Blair, Grauly, Morgado, Takamine and Tungpalan, who were excused.

By unanimous consent, reading of the Journal of the House of Representatives of the Forty-Eighth Day was deferred.

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

Representative Yoshimura introduced 20 third, fourth, fifth and sixth grade students from Kaiulani School. They were accompanied by their teacher, Mrs. Grace Hotoke.

Representative Cachola introduced 49 students from Puuhale Elementary School. They were accompanied by their teachers, Mrs. June Ishii, Mrs. Audrey Miho and Ms. Paula Watanabe.

Representative Andrews introduced some family members of his, as follows: Mrs. Andrews, his mother from Maui; Uncle Paul Nuni (brother of Mrs. Andrews) from the mainland; his Aunt Marge Flick and Aunt Mickey Flick and her son, Bobby Flick, from Kailua.

Representative Kihano introduced Mits Uechi, a former member of the House of Representatives "who retired from politics a few years ago."

Representative Cachola then introduced Mr. Gene Gamiao, "a former colleague in the savings and loan industry."

Representative Marumoto introduced Mrs. Rosemary Clark and her family.

Representative Okamura introduced Mr. Bill Pidot, "a former Hiloan and current President of the Hawaii State Jaycees."

Representative Leong introduced Mr. Dennis Kim, "a good friend of my

son, Richard, a graduate of Kamehameha School, Class of 1964."

Representative Liu introduced 18 sixth grade students from Sacred Hearts Convent. They were accompanied by their teachers, Mrs. Fujii and Mrs. Okazaki.

Representative Oshiro introduced Amy Monahan and Debbie Abernathy, students from Ilima Intermediate School who are participating in the Legislative Awareness Program.

ORDER OF THE DAY

SUSPENSION OF RULES

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 384 to 387) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 384) honoring James "Jimmy" Yagi upon his retirement as the University of Hawaii at Hilo Vulcans head basketball coach was jointly offered by Representatives Metcalf, Tajiri, Levin, Lindsey and Takamine.

On motion by Representative Tajiri, seconded by Representative Metcalf and carried, H.R. No. 384 was adopted.

At this time, Representative Tajiri rose and stated:

"As a freshman legislator, I have recently had the opportunity to meet many outstanding individuals in the State through introductions made here on this floor by my colleagues.

"Today, Mr. Speaker and fellow members of the House, I have the distinct honor of introducing to you a truly great son of the Big Island, Mr. James 'Jimmy' Yagi, on his retirement after 18 years of a colorful, exciting and noteworthy years with the UH-Hilo basketball program. After six years of assistance in coaching the team, Jimmy was named to the head coach of the Hilo Vulcans. After all these years,

he leaves the campus with an outstanding record of more than 250 victories. To say that Jimmy was instrumental in putting the UH-Hilo basketball program on the map is not enough. Jimmy breathed life into a fledgling small college basketball team and he also influenced the present level of basketball in the NAIA, Hawaii District. Although his outstanding record is a legacy, especially in Hilo, that record is exceeded by his gentlemanly manner on and off the court and his very sincere sensitivity and care and feeling for his players -- his boys, both past and present.

"Mr. Speaker, at this time, I would like to present to you and this honorable body, Mr. James Yagi, a giant in Hawaii's collegiate sports."

Representative Tajiri then asked the honoree, Mr. James Yagi, to stand and be recognized. Accompanying Mr. Yagi was his mother, Mrs. Yagi, and his wife, Mrs. Jeanne Yagi.

Red carnation leis were presented to the honoree by Representative Isbell, to Mrs. Yagi by Representative Levin and to Mrs. Jeanne Yagi by Representative Metcalf. Representative Tajiri presented Mr. Yagi with a certified copy of the resolution.

A resolution (H.R. No. 385) congratulating the Kim family for its selection as "Hawaii Family of the Year" was jointly offered by Representatives Bunda, Cachola, Cavasso, Gaulty, Hagino, Kihano, Kiyabu, Leong, Levin, Lindsey, Liu, Medeiros, Menor, Morgado, Onouye, Shon and Yoshimura.

On motion by Representative Bunda, seconded by Representative Leong and carried, H.R. No. 385 was adopted.

Representative Bunda rose and stated:

"Mr. Speaker, the Kim family are very special people and Wahiawa is very proud to have a family which has given a lot of themselves to the community and to the church. The Kims are fun-loving, happy people and trustworthy with a good relationship with one another. This kind of special relationship which they have fostered in their children is priceless.

"Mr. Speaker, the Kims are also very talented for they all love music and they all can sing. Several

months back, I was touched by a song that they sang at a luncheon which I attended and this song is very meaningful to the family. May I be permitted to recite these few simple words to you: 'There are beauty all around when there is love at home; there is joy in every sound when there is love at home. Peace and plenty here abide, smiling sweet on every side; time doth softly glide when there is love at home.'

"Mr. Speaker, it is fitting that this body know this family -- the family who was selected the 'Hawaii Family of the Year.'

"I am honored to introduce to you and this body Mr. and Mrs. Kim -- Ferry and Louise Kim."

Representative Bunda then asked Mr. and Mrs. Kim to stand and be recognized.

Orchid leis were presented to Mr. Kim by Representative Hashimoto and to Mrs. Kim by Representative Leong. Representative Bunda presented the honorees with a certified copy of the resolution.

Representative Bunda then asked the Kim's five children and their respective families who were seated in the gallery to stand and be recognized.

Representative Leong rose and stated:

"I have known Ferry and Louise for a number of years -- at least 30 years. They are truly a great couple. They have been involved with the Hawaiian Civic Club movement; they have done a lot for the community, not only for Wahiawa, but for the North Shore. I am very pleased that this couple is being honored today.

"Thank you, Mr. Speaker."

A resolution (H.R. No. 386) congratulating Paul Tomiyasu for his selection as one of the U.S. Jaycees Ten Outstanding Men of America for 1985 was jointly offered by Representatives Bunda, Apo, Cachola, Cavasso, Gaulty, Hagino, Kihano, Leong, Levin, Lindsey, Liu, Morgado, Onouye, Shon and Yoshimura.

On motion by Representative Bunda, seconded by Representative Yoshimura and carried, H.R. No. 386 was adopted.

Representative Bunda rose and

stated:

"Mr. Speaker, as the resolution states, Paul Tomiyasu was selected as one of the ten outstanding young men in the nation. I would like to add that those ten were selected over a field of 40,000. That is indeed an honor. And I would like to add that Representative Terry Tom was also selected from Hawaii.

"Paul's accomplishments with the handicapped community is truly outstanding. His endless efforts toward educating the deaf and educating the public sector of the deaf community is amazing. Those efforts led to the accommodation for the deaf by amending the City's building code and by having interpreters in the courtroom and, most notably, getting the Police Department to learn some sign language which is now mandatory.

"Paul attended the Hawaii School for the Deaf and Blind and went on to McKinley High School in its first program to mix the deaf and the hearing students together. In addition, to his recent Jaycee award, Paul received three awards from the federal government. He was credited with the Outstanding Employee Award, the Outstanding Handicapped Person Award, and the Outstanding Community Service Award. In talking to his wife, Lydia, she indicated that Paul is a challenging person who has dedicated his time to the education of the hearing impaired.

"Mr. Speaker, on behalf of Representatives Menor and myself, it is an honor to introduce our honoree."

Representative Bunda then asked Mr. Paul Tomiyasu to stand and be recognized. Accompanying the honoree was his wife, Mrs. Lydia Tomiyasu.

Orchid leis were presented to Mr. Tomiyasu by Representative Hirono and to Mrs. Tomiyasu by Representative Menor. Representative Bunda presented the honoree with a certified copy of the resolution.

Representative Bunda then asked Paul's parents, Mr. and Mrs. Dennis Tomiyasu; his aunt, Mrs. Katherine Conchee; a group of people from some supporting organizations for the deaf, and a few people from the Jaycee organization who were seated in the gallery, to stand and be recognized.

A resolution (H.R. No. 387) honoring Hampton L. Carson, Genetics

Professor at the University of Hawaii John A. Burns School of Medicine, for his outstanding accomplishments in the natural science field and for his many contributions to the University of Hawaii faculty and students was jointly offered by Representatives Levin and Hagino.

On motion by Representative Levin, seconded by Representative Hagino and carried, H.R. No. 387 was adopted.

Representative Levin rose and stated:

"Professor Carson possesses rare qualities not always found in academicians. Not only is his genetic research acclaimed throughout the world, but his ability to reach students to challenge them and to urge them forward is without peer. The local and international esteem in which he is held is reflected by the fact that an international symposium in his honor is going to be held this summer in Honolulu.

"It has been said that Professor Carson has won every major science award except the Nobel Prize. We hope that distinguished award is also within his reach. As an author, scholar, teacher and humanitarian, Professor Carson's contributions are legend and we want to wish him the best in the years to come."

Representative Levin then asked Professor Carson to stand and be recognized. Accompanying Professor Carson were his wife, Meredith, and Dr. Ken Kaneshiro, Director of the Evolutionary Biology Program.

Representative Kim presented Professor Carson with a cigar lei while Representatives Shon and Hirono presented orchid leis to Mrs. Carson and Dr. Kaneshiro, respectively. Representative Kiyabu presented the honoree with a certified copy of the resolution.

Representative Hagino then rose and introduced Dr. Jeff Ashton, Genetics Department Chairman, who was seated in the gallery along with associates, fellow workers, and a group of people that know and love Professor Carson, and asked that they all stand and be recognized.

Representative Hagino then stated:

"Mr. Speaker, just a couple of words on behalf of the honoree.

"We are indeed fortunate to have a

man that can conduct research, teach, and most important of all, for those of us who know Dr. Ken Kanehiro at the Legislature, he is one of the many students of Professor Carson. We also know that he has this very rare ability to inspire his students, and we congratulate Dr. Carson.

"Thank you, Mr. Speaker."

At 11:45 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of greeting and allowing us to extend our personal aloha to all of our honorees this morning."

Upon reconvening at 12:08 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Blair, Grauly, Morgado, Takamine and Tungpalan.

SUSPENSION OF RULES

On motion by Representative Okamura, seconded by Representative Ikeda 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. 957 on S.B. No. 245:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 958 on S.B. No. 141, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 141, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'S VOCATIONAL AND TECHNICAL TRAINING PROJECTS REVOLVING FUND", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 959 on S.B. No. 663, SD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 663, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DESIGN

PROFESSIONAL CONCILIATION PANEL", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 960 on S.B. No. 154, SD 2:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 961 on S.B. No. 155, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 155, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 141, 663 and 155 had passed Third Reading at 12:09 o'clock p.m.

Stand. Com. Rep. No. 962 on S.B. No. 162:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 162, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 963 on S.B. No. 1195, SD 1:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 964 on S.B. No. 1274, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1274, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 162 and 1274 had passed Third Reading at 12:10 o'clock p.m.

Stand. Com. Rep. No. 965 on S.B. No. 1350, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1350, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 966 on S.B. No. 1351, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1351, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 1350 and 1351 had passed Third Reading at 12:11 o'clock p.m.

Stand. Com. Rep. No. 967 on S.B. No. 1392:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 968 on S.B. No. 1397, SD 2:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 969 on S.B. No. 1443, SD 1:

Representative Kiyabu moved that the report of the majority of the Committee be adopted and S.B. No. 1443, SD 1, having been read throughout, pass Third Reading, seconded by Representative Souki.

Representative Anderson rose to speak against the bill, stating:

"Number one, Mr. Speaker, I understand that the bill was supposed to keep costs down, and to the best of my knowledge, Mr. Speaker, the last report we got from LRB, the third party reimbursement shows that average allowance per case cost of psychiatrist is \$305.94 and the psychologist of \$323.80. Also, the

average visit for the psychologist is higher, Mr. Speaker. For that reason, I don't think we are doing what the bill says we should be doing in keeping costs down.

"Also, Mr. Speaker, the medicaid payments constitute the largest item in the welfare expenditures and the latest word that we have on that -- DSSH says that it has risen to now \$158-million in 1983. Consequently, Mr. Speaker, anytime you give a new program to public welfare recipients, they take advantage of it which raises cost. That's not what we are here for and for that reason, Mr. Speaker, I will vote no and I would ask my colleagues to consider that.

"Thank you very much."

Representative Isbell rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill and in rebuttal with my own colleague.

"The reason for the difference in the psychologist and psychiatrist, if you really look at it, is that the psychiatrist's average cost is lower because he sees him a shorter time. The psychologist's visits are ordinarily averaging an hour. So if you break it down by the minute, you will find that the psychiatrists are much higher, and I would like to suggest that perhaps we look at it by prorating it -- not by the total amount.

"Thank you very much."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and S.B. No. 1443, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE, PSYCHOLOGY", having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Anderson, Crozier and Hemmings voting no.

Stand. Com. Rep. No. 970 on S.B. No. 36, SD 1:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 971 on S.B. No. 112:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the

Committee was adopted and S.B. No. 112, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 972 on S.B. No. 82, SD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF THE SPECIAL LAND AND DEVELOPMENT FUND", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 1443, 112 and 82 had passed Third Reading at 12:14 o'clock p.m.

At 12:15 o'clock p.m., Representative Anderson asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:16 o'clock p.m.

Stand. Com. Rep. No. 973 on S.B. No. 6, SD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 6, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", having been read throughout, passed Third Reading by a vote of 45 ayes to 6 noes, with Representatives Cavasso, Hemmings, Ikeda, Jones, Liu and Marumoto voting no.

Stand. Com. Rep. No. 974 on S.B. No. 165:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 165, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 6 and 165 had passed Third Reading at 12:17 o'clock p.m.

Stand. Com. Rep. No. 975 on S.B. No. 187:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 187, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 976 on S.B. No. 100:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 100, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 187 and 100 had passed Third Reading at 12:18 o'clock p.m.

Stand. Com. Rep. No. 977 on S.B. No. 73, SD 1:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 73, SD 1, having been read throughout, pass Third Reading, seconded by Representative Souki.

Representative Jones rose to speak against the bill, stating:

"Mr. Speaker, in the last session I voted against a bill similar to this because of the issues of civil liberties, and as this bill was making its way through our Committee, I supported it because in Standing Committee Report No. 666 from the House on March 21st, it included in the report that we are narrowing the scope here to schizophrenics and other psycho-biological disorders. And so, therefore, I went along with the bill. The report also says that Pastor Du Teil of the Institute for Human Services expressed concern over the definition of 'gravely disabled' and rightly so because it was a very broad definition. Therefore, by including in the Committee report, we are talking about schizophrenics, we would narrow it.

"However, as it comes out of the Finance Committee, the word 'schizo-

phrenics' was taken out and so, now we are left with 'gravely disabled' and a very broad definition of what 'gravely disabled' means. And as Pastor Du Teil says, this could be used to get the bag people off the streets and to Kaneohe, or the street people, or even senior citizens. We don't know. It opens up a very grave civil liberties issue.

"So, on that basis and because we have not sunsetted this bill which I would like to see done to it as we can take a look at it in two years, I will have to, unfortunately, because I feel for the families of schizophrenics, I will have to go no on this bill because of the very poorly written Committee report, and I encourage my colleagues to do so also.

"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. 73, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMISSION TO A PSYCHIATRIC FACILITY", having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Cavasso, Jones and Morgado voting no.

Stand. Com. Rep. No. 978 on S.B. No. 27, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 27, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 73 and 27 had passed Third Reading at 12:20 o'clock p.m.

Stand. Com. Rep. No. 979 on S.B. No. 69, SD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 69, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 980 on S.B. No. 202:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 202, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MEDICAL EXAMINERS", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 981 on S.B. No. 287, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 287, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

The Chair directed the Clerk to note that S.B. Nos. 69, 202 and 287 had passed Third Reading at 12:21 o'clock p.m.

Stand. Com. Rep. No. 982 on S.B. No. 379, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 379, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER SAFETY LAW", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 983 on S.B. No. 426, SD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 426, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 379 and 426 had passed Third Reading at 12:22 o'clock p.m.

Stand. Com. Rep. No. 984 on S.B. No. 470, SD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the

Committee was adopted and S.B. No. 470, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 985 on S.B. No. 689:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 689, entitled: "A BILL FOR AN ACT RELATING TO THE COUNCIL ON REVENUES", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 470 and 689 had passed Third Reading at 12:23 o'clock p.m.

Stand. Com. Rep. No. 986 on S.B. No. 557:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 987 on S.B. No. 714:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 988 on S.B. No. 936:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 989 on S.B. No. 1179:

By unanimous consent, action was deferred one day.

At 12:24 o'clock p.m., Representative Shon asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:31 o'clock p.m.

S.B. No. 29 on Third Reading:

On motion by Representative Leong, seconded by Representative Kihano and carried, S.B. No. 29, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COUNCIL FOR

CHILDREN AND YOUTH", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 29 had passed Third Reading at 12:33 o'clock p.m.

S.B. No. 1290, SD 1, on Third Reading:

On motion by Representative Onouye, seconded by Representative Lindsey and carried, S.B. No. 1290, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 160, SD 1, on Third Reading:

On motion by Representative Yoshimura, seconded by Representative Honda and carried, S.B. No. 160, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTEE MEMBERSHIP", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 60, SD 1, on Third Reading:

On motion by Representative Bunda, seconded by Representative Tom and carried, S.B. No. 60, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Ikeda voting no.

The Chair directed the Clerk to note that S.B. Nos. 1290, 160 and 60 had passed Third Reading at 12:34 o'clock p.m.

S.B. No. 55 on Third Reading:

On motion by Representative Lindsey, seconded by Representative Shito and carried, S.B. No. 55, entitled: "A BILL FOR AN ACT RELATING TO AGENTS OF PRIVATE SCHOOLS AND CORRESPONDENCE SCHOOLS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 55 had passed Third Reading at 12:35 o'clock p.m.

S.B. No. 128, SD 1, on Third

Reading:

Representative Oshiro moved that S.B. No. 128, SD 1, having been read throughout, pass Third Reading, seconded by Representative Say.

Representative Apo rose and stated:

"Mr. Speaker, I rise to speak in support of this motion with some minor reservations.

"Mr. Speaker, in another state that also has, as their state policy, free equal access to all ocean space, there was an incident reported on the wire services last week where a jet skier, in an attempt to chase down a jump-awake emanating from a high speed boat. . .the jet-skier failing to recognize that the speed boat was towing a water-skier, ended up decapitating himself when he ran across the line.

"I hope, Mr. Speaker, that we should never see in this State an incident like this occur simply because we, at this point in time, do not have the capability to manage our ocean coastal water resources.

"Through no fault of the Department, apparently our enforcement capability, and especially our capability to manage the resource, is very, very thin. In recent years, we've had a huge proliferation of user groups, especially in our coastal waters, where we find boaters, canoe paddlers, swimmers, jet-skiers, water-skiers, coral farmers, surfers, wind-surfers, net fishermen, scuba divers, free divers, all competing to use the same ocean space.

"On the Big Island, it was reported a couple of weeks ago that we had some ika/shibi fishermen firing shots at long-liners out of Honolulu using AR-15 rifles. This incident would not have been reported had it not been for an enterprising reporter who went and chased down the story. Apparently our enforcement personnel were not aware and many times are not aware that these situations exist. And there is some real danger and violence going on out there.

"My reservation on this bill, although I support the concept of transferring all responsibility of coastal waters to the Department of Transportation, it is to make sure that the Legislature understands the seriousness of what's going on out there and that we might develop maybe a little stronger political will and willingness to fund these

Departments in the area of enforcement.

"My second reservation has to do with whether the Department of Transportation, because they seem to be more concerned with the user conflicts that occur on the surface of the waters, whether the Department has the capability to manage the water column which is where the marine life occurs. All that expertise seems to lie in the Department of Land and Natural Resources where we have our aquatic and marine biologists.

"So, somewhere down the line, I hope the two Departments who have indicated they are going to be working together really do work together so that we can bring about some decent and comprehensive management of our coastal waters.

"Thank you, Mr. Speaker."

Representative Hemmings rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill with reservations.

"Mr. Speaker, as you and other members of this body well know, in ancient Hawaii there was the ahupuaa land use system which made a tremendous amount of sense. As with many things of ancient Hawaii, we seem to have lost contact with some of the basic philosophy and intelligence of their ancient ways.

"In the ahupuaa system, land use emanated from the top of the mountain to the farthest reaches of the sea. It seems, in this century at least, that the ocean is an alien environment in our land use or our ocean and land use system. Well, times have changed, Mr. Speaker, and as Representative Apo so clearly pointed out, we have tremendous conflicts coming in our shoreline areas, especially in the recreational use.

"I, too, am worried that we'd have no comprehensive means to handle these conflicts of interest. Also, though the Department of Transportation is doing a good job in trying to do this, the facts are they do not have the resources to do so. I am hoping that in the interim between this session and the next that the concerned people in these areas can get together and come up with some kind of game plan for statewide management of these resources. In most instances, I do have to point out to this group that we are talking

about recreational resources and the county governments already have in place the beach cleaning, the life-guards, the fire rescue, and also the recreational departments to adequately manage these areas if they had the jurisdictional control.

"The bottom line is, Mr. Speaker, I don't want to see a second layer of bureaucracy at the State level of government be instituted to do what essentially the county governments are already doing, but this bill at least eliminates the Department of Land and Natural Resources from the conflict of interest and is a step in the right direction.

"Thank you."

Representative Ikeda rose and stated:

"Mr. Speaker, I agree wholeheartedly with both previous speakers and I would like to have their remarks incorporated as my own. (By reference only)

"Thank you."

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

Representative Cavasso rose and stated:

"Mr. Speaker, I would like to speak in favor of this with reservations as well.

"I also have the concerns spoken by both Representative Apo and Representative Hemmings. I see in our shore waters a situation developing which might result in loss of life or severe injury before too long, and I appreciate that this is eliminating some of the jurisdictional problems that we have between the two branches of government and that it is putting it into the hand of one or another.

"I was in a hearing yesterday, however, and it was pointed out that the Department of Transportation does not even have a zodiac to move upon the waters with; neither does anyone else for that matter. The Department of Transportation also pointed out that they only have two/three and sometimes four people on duty for the whole island of Oahu on a weekend, and this is not enough to adequately cover the responsibility that we are putting upon them right here. I wonder even if the Department of Transportation realizes what we are putting them for. When they were

asked if they were going to request more personnel or greater financing to fulfill the requirements of this bill, their response was they didn't think they needed anybody else, maybe a few more. We got a hundred of miles of shore waters and they do not seem to understand this responsibility.

"At this point, we have no one policing our waters; neither the City and County, nor the Transportation Department, nor the Department of Land and Natural Resources, and I concur with this and support it and ask that we look towards giving them or someone else, whoever we give the responsibility to, the ability to police this and that we do it as soon as possible before this problem hits our front pages.

"Thank you, Mr. Speaker."

Representative Kamali'i rose to speak in favor of the bill, stating:

"For some history, I am absolutely delighted that at last we have a measure that will take care of the problem that has existed on the beaches of Waikiki for years and I think this is where it is.

"This bill is going to give the responsibility to the Department of Transportation for the concessionaires which have been troubling us for so long, particularly in that area whether the permits were going to be given by the Department of Land and Natural Resources, or the Department of Transportation, or the City and County of Honolulu. This is the first time, and I have been waiting for ten years, for at least one department to come up with this jurisdiction.

"This is just the beginning and I concur with Representative Apo that we need to look at a whole marine control of our waters, and I know that the Department of Transportation is incapable of doing any of the things we would like them to do but at least for now, we have pointed out that one department must be in total jurisdiction, not only of our beaches, but of our marine resources, and I think that during the interim we should go ahead and follow through on some of the resolutions that have already been passed by this body in looking at this problem. But this is certainly a step in the right direction.

"Thank you."

The motion was put by the Chair and carried, and S.B. No. 128, SD

1, entitled: "A BILL FOR AN ACT RELATING TO THE SHORES AND SHORELINES", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 128 had passed Third Reading at 12:43 o'clock p.m.

S.B. No. 1356, SD 1, on Third Reading:

On motion by Representative Oshiro, seconded by Representative Lindsey and carried, S.B. No. 1356, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 634, SD 1, on Third Reading:

On motion by Representative Andrews, seconded by Representative Bunda and carried, S.B. No. 634, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER LAW VIOLATION PENALTIES", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 1356 and 634 had passed Third Reading at 12:44 o'clock p.m.

S.B. No. 166 on Third Reading:

On motion by Representative Andrews, seconded by Representative Tom and carried, S.B. No. 166, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", having been read throughout, passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Hemmings, Ikeda and Marumoto voting no.

S.B. No. 260, SD 1, on Third Reading:

On motion by Representative Say, seconded by Representative Yoshimura and carried, S.B. No. 260, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 1409 on Third Reading:

On motion by Representative Say, seconded by Representative Andrews and carried, S.B. No. 1409, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION EASEMENTS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 166, 260 and 1409 had passed Third Reading at 12:45 o'clock p.m.

S.B. No. 1221 on Third Reading:

On motion by Representative Say, seconded by Representative Tam and carried, S.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 279 on Third Reading:

On motion by Representative Say, seconded by Representative Tam and carried, S.B. No. 279, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Third Reading by a vote of 40 ayes to 11 noes, with Representatives Anderson, Cavasso, Hemmings, Ikeda, Isbell, Jones, Kamali'i, Liu, Marumoto, Medeiros and Pfeil voting no.

S.B. No. 651, SD 1, on Third Reading:

On motion by Representative Say, seconded by Representative Tam and carried, S.B. No. 651, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 469 on Third Reading:

On motion by Representative Say, seconded by Representative Tam and carried, S.B. No. 469, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 1221, 279, 651 and 469 had passed Third Reading at 12:46 o'clock p.m.

S.B. No. 434, SD 1, on Third Reading:

On motion by Representative Tom, seconded by Representative Shito and carried, S.B. No. 434, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 434 had passed Third Reading at 12:47 o'clock p.m.

S.B. No. 843 on Third Reading:

Representative Tom moved that S.B. No. 843, having been read throughout, pass Third Reading, seconded by Representative Blair.

Representative Souki rose and stated:

"Mr. Speaker and members of the House, I wish to speak for this bill with some reservations.

"The reservations I have for this bill is that, again it seems to be one of those bills that infringe on the personal liberties of us as citizens of the State. If we choose not to take tests, we will be punished and in this case here, the punishment seems to be worse than if you would get caught for DUI. It increases the punishment from two to five years which I think is excessive, especially if it is for a second offense. I believe that we are beginning to over-react in this case here.

"That's all, Mr. Speaker and members of the House."

The motion was put by the Chair and carried, and S.B. No. 843, entitled: "A BILL FOR AN ACT RELATING TO REFUSAL TO SUBMIT TO A BREATH OR BLOOD TEST", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Morgado voting no.

S.B. No. 125, SD 2, on Third Reading:

On motion by Representative Tom, seconded by Representative Blair and

carried, S.B. No. 125, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 843 and 125 had passed Third Reading at 12:49 o'clock p.m.

S.B. No. 255 on Third Reading:

On motion by Representative Tom, seconded by Representative Blair and carried, S.B. No. 255, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE WITH COURT ORDERS IN TRAFFIC CASES", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 563, SD 1, on Third Reading:

On motion by Representative Tom, seconded by Representative Blair and carried, S.B. No. 563, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM TRUSTEES' POWERS ACT", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 742, SD 1, on Third Reading:

On motion by Representative Tom, seconded by Representative Blair and carried, S.B. No. 742, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 1158 on Third Reading:

On motion by Representative Tom, seconded by Representative Blair and carried, S.B. No. 1158, entitled: "A BILL FOR AN ACT RELATING TO TRANSFERS TO MINORS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 255, 563, 742 and 1158 had passed Third Reading at 12:50 o'clock p.m.

At 12:51 o'clock p.m., Representative Shito asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:53 o'clock p.m.

S.B. No. 1271, SD 1, on Third Reading:

On motion by Representative Shito, seconded by Representative Hashimoto and carried, S.B. No. 1271, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 1271 had passed Third Reading at 12:54 o'clock p.m.

S.B. No. 1114, SD 1, on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 1114, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 196 on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 196, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 188 on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 188, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 213, SD 1, on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 213, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE DETECTIVES AND GUARDS", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 198, SD 1, on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 198, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

S.B. No. 190 on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 190, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF CONSUMER PROTECTION", having been read throughout, passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Menor and Shon voting no.

The Chair directed the Clerk to note that S.B. Nos. 1114, 196, 188, 213, 198 and 190 had passed Third Reading at 12:55 o'clock p.m.

S.B. No. 556, SD 1, on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 556, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 230, SD 1, on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 230, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 203 on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 203, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 182, SD 1, on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 182, SD 1, entitled: "A BILL FOR AN ACT

RELATING TO TIME SHARING", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 197 on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 197, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIR INDUSTRY", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 1178, SD 1, on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 1178, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 961, SD 1, on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 961, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 1136 on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 1136, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 556, 230, 203, 182, 197, 1178, 961 and 1136 had passed Third Reading at 12:56 o'clock p.m.

At 12:57 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:58 o'clock p.m., the Vice Speaker assumed the rostrum.

S.B. No. 457, SD 1, on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 457, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Third Reading by a vote of 51 ayes.

S.B. No. 668 on Third Reading:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 668, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", having been read throughout, passed Third Reading by a vote of 50 ayes to 1 no, with Representative Hagino voting no.

The Chair directed the Clerk to note that S.B. Nos. 457 and 668 had passed Third Reading at 12:59 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 380 to 383) and concurrent resolutions (H.C.R. Nos. 128 to 131) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 380) requesting the Family Court to specify spouse abuse as a factor to be considered in determining child custody cases was jointly offered by Representatives Ikeda and Tom.

A resolution (H.R. No. 381) requesting the Department of Social Services and Housing to report on the rationale for, and State of Hawaii's experience with, the offset to medicaid reductions derived from amounts recovered for the suspension, termination, and exclusion of providers was jointly offered by Representatives Grauly, Leong, Kihano and Cachola.

A resolution (H.R. No. 382) supporting the County of Hawaii in its efforts to sponsor a conference on the development of a comprehensive master plan for infrastructure needs of West Hawaii was jointly offered by Representatives Lindsey, Levin and Tajiri.

A resolution (H.R. No. 383) concerning the establishment of a rural housing program for the State of Hawaii was offered by Representative Hashimoto.

A concurrent resolution (H.C.R.

No. 128) requesting the Department of Social Services and Housing to report on the rationale for, and State of Hawaii's experience with, the offset to medicaid reductions derived from amounts recovered for the suspension, termination, and exclusion of providers was jointly offered by Representatives Gaulty, Leong, Kihano and Cachola.

A concurrent resolution (H.C.R. No. 129) requesting the Family Court to specify spouse abuse as a factor to be considered in determining child custody cases was jointly offered by Representatives Ikeda and Tom.

A concurrent resolution (H.C.R. No. 130) concerning the establishment of a rural housing program for the State of Hawaii was offered by Representative Hashimoto.

A concurrent resolution (H.C.R. No. 131) recognizing May, 1985, as Better Hearing and Speech Month was offered by Representative Tam.

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

By unanimous consent, the following House bills were taken from the Clerk's desk: H.B. Nos. 1, HD 1, SD 1; 28, HD 1, SD 1; 29, HD 1, SD 1; 33, HD 1, SD 1; 39, HD 2, SD 2; 40, SD 1; 49, HD 2, SD 2; 60, HD 2, SD 2; 89, HD 1, SD 2; 99, HD 1, SD 2; 101, HD 1, SD 2; 104, HD 2, SD 1; 108, HD 2, SD 1; 111, HD 1, SD 1; 129, SD 1; 134, HD 1, SD 1; 144, HD 1, SD 1; 146, HD 1, SD 1; 147, HD 1, SD 1; 153, SD 1; 160, SD 1; 162, SD 1; 165, SD 1; 166, HD 2, SD 2; 171, SD 1; 174, HD 1, SD 1; 176, SD 1; 181, SD 1; 184, HD 2, SD 2; 188, SD 1; 193, HD 2, SD 1; 194, HD 1, SD 2; 195, SD 1; 208, HD 2, SD 1; 209, HD 1, SD 1; 214, HD 1, SD 1; 223, HD 1, SD 1; 227, HD 1, SD 1; 229, HD 2, SD 1; 230, HD 1, SD 1; 231, SD 1; 232, HD 1, SD 1; 234, HD 2, SD 1; 235, SD 1; 236, HD 2, SD 1; 239, SD 1; 240, HD 1, SD 1; 263, HD 1, SD 1; 264, SD 1; 265, HD 1, SD 1; 266, HD 1, SD 1; 267, HD 1, SD 2; 268, SD 1; 281, HD 2, SD 2; 311, HD 1, SD 1; 329,-

HD 1, SD 2; 333, HD 1, SD 1; 346, HD 1, SD 1; 346, HD 1, SD 1; 347, HD 1, SD 1; 352, SD 1; 353, SD 1; 354, HD 2, SD 2; 355, SD 1; 363, HD 1, SD 1; 382, SD 1; 401, SD 1; 404, HD 2, SD 1; 434, HD 1, SD 1; 436, HD 2, SD 2; 453, HD 1, SD 1; 460, HD 1, SD 1; 463, HD 2, SD 2; 465, SD 1; 479, HD 1, SD 1; 488, HD 1, SD 1; 492, HD 1, SD 1; 502, SD 1; 509, SD 1; 519, SD 1; 520, HD 1, SD

1; 522, HD 1, SD 1; 557, SD 1; 558, HD 1, SD 1; 614, HD 1, SD 1; 674, HD 1, SD 1; 697, HD 1, SD 2; 743, HD 1, SD 1; 755, SD 1; 757, SD 1; 759, SD 1; 761, SD 1; 776, HD 2, SD 1; 824, HD 1, SD 1; 830, HD 1, SD 1; 839, HD 1, SD 1; 860, HD 1, SD 1; 921, HD 1, SD 1; 949, SD 1; 989, SD 1; 995, HD 2, SD 1; 997, HD 1, SD 1; 1054, HD 1, SD 1; 1056, HD 1, SD 1; 1059, HD 1, SD 2; 1131, HD 2, SD 1; 1162, HD 1, SD 1; 1163, HD 2, SD 1; 1166, HD 2, SD 1; 1231, HD 2, SD 1; 1239, HD 1, SD 1; 1243, SD 1; 1246, HD 1, SD 2; 1257, SD 1; 1270, HD 1, SD 1; 1271, HD 2, SD 1; 1275, HD 1, SD 2; 1285, HD 2, SD 1; 1350, HD 1, SD 1; 1354, HD 1, SD 1; 1356, SD 1; 1357, HD 1, SD 1; 1366, SD 1; 1386, SD 1; 1393, HD 2, SD 1; and 1547, HD 1, SD 1.

On motion by Representative Okamura, seconded by Representative Kawakami and carried, the House disagreed to the amendments proposed by the Senate to H.B. Nos. 1, HD 1; 28, HD 1; 29, HD 1; 33, HD 1; 39, HD 2; 40; 49, HD 2; 60, HD 2; 89, HD 1; 99, HD 1; 101, HD 1; 104, HD 2; 108, HD 2; 111, HD 1; 129; 134, HD 1; 144, HD 1; 146, HD 1; 147, HD 1; 153; 160; 162; 165; 166, HD 2; 171; 174, HD 1; 176; 181; 184, HD 2; 188; 193, HD 2; 194, HD 1; 195; 208, HD 2; 209, HD 1; 214, HD 1; 223, HD 1; 227, HD 1; 229, HD 2; 230, HD 1; 231; 232, HD 1; 234, HD 2; 235; 236, HD 2; 239; 240, HD 1; 263, HD 1; 264; 265, HD 1; 266, HD 1; 267, HD 1; 268; 281, HD 2; 311, HD 1; 329, HD 1; 333, HD 1; 346, HD 1; 347, HD 1; 352; 353; 354, HD 2; 355; 363, HD 1; 382; 401; 404, HD 2; 434, HD 1; 436, HD 2; 453, HD 1; 460, HD 1; 463, HD 2; 465; 479, HD 1; 488, HD 1; 492, HD 1; 502; 509; 519; 520, HD 1; 522, HD 1; 557; 558, HD 1; 614, HD 1; 674, HD 1; 697, HD 1; 743, HD 1; 755; 757; 759; 761; 776, HD 2. 824, HD 1; 830, HD 1; 839, HD 1; 860, HD 1; 921, HD 1; 949; 989; 995; 997, HD 1; 1054, HD 1; 1056, HD 1; 1059, HD 1; 1131, HD 2; 1162, HD 1; 1163, HD 2; 1166, HD 2; 1231, HD 2; 1239, HD 1; 1243; 1246, HD 1; 1257; 1270, HD 1; 1271, HD 2; 1275, HD 1; 1285, HD 2; 1350, HD 1; 1354, HD 1; 1356; 1357, HD 1; 1366; 1386; 1393, HD 2; and 1547, HD 1, and requested a conference on the subject matter of said amendments.

By unanimous consent, naming of the conferees on the part of the House was deferred.

ANNOUNCEMENTS

The following announcements were

made to the members of the House:

Representative Bunda: "Your Committee on Consumer Protection will have a hearing tomorrow at 1:30 in Room 328. Decision making to follow."

Representative Blair: "Your Committee on Corrections and Rehabilitation will be having a public hearing at 1:30 in Room 328. The first two items on the agenda will be joint with the Committee on Health; the next item will be joint with the Committee on Public Employment and Government Operations. Let me reverse that -- the first two items will be with the second Committee; the second two items with the first Committee that I just mentioned, contrary to the agenda that was distributed. And finally, Mr. Speaker, the other items will be by your Corrections Committee alone. Decision making to follow if time permits."

Representative Onouye: "Your Committee on Higher Education and the Arts will be having a public hearing at 1:30 in Room 310."

Representative Kihano: "Tomorrow morning at 8:30 in Room 314, we will be having a Health Committee hearing and possibly decision making after the hearing if time permits."

Representative Kawakami: "We have an open Majority caucus tomorrow morning at 11:15, specifically on Senate Bill 1179."

ADJOURNMENT

At 1:05 o'clock p.m., on motion by Representative Okamura, seconded by Representative Ikeda and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 4, 1985.

FIFTIETH DAY

Thursday, April 4, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Lieutenant Colonel Richard Stenbakken of the Aliamanu Military Reservation, after which the Roll was called showing all members present.

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

On motion by Representative Okamura, seconded by Representative Ikeda and carried, reading of the Journal was dispensed with and the Journal of the Forty-Sixth Day was approved.

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

Representative Metcalf introduced Dr. and Mrs. William Carr. Dr. Carr was a former professor at the University of Hawaii at Hilo and was one of the first presidents of the University at Hilo Alumni Association.

Representative Levin introduced friends of Dr. and Mrs. Carr, Mr. and Mrs. John Meinke and Mr. and Mrs. Lester Barnstadt who are from Nebraska.

Representative Cachola introduced Mr. Vince Bagayo, an executive of the City and County of Maui.

Representative Tajiri, on behalf of Representatives Isbell, Levin, Lindsey, Metcalf, Takamine and himself, introduced eighteen students who are participating in the Hawaii District Legislative Experience Program. They are from Honokaa, Ka'u, Pahoa, and Waiea High Schools and are here to observe the Legislature in action. They were accompanied by student coordinators, Julie Sakasegawa, Miss Beth Choy, Jim White and Natalie Yokoyama and Mr. Wallace Ah Kee who is the Department of Education district personnel specialist.

Representative Pfeil introduced Mr. Doug Stewart, "an old track

buddy now living in Illinois".

Representative Anderson introduced Mr. Myron Thompson, trustee of the Bishop Estate.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 305 to 307; 309 to 327; 331 to 335; 338 to 347; and 352 to 360) and concurrent resolutions (H.C.R. Nos. 104 to 119) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
305	Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
306	Committee on Education, then to the Committee on Finance
307	Committee on Transportation, then to the Committee on Finance
309	Jointly to the Committees on Planning, Energy and Environmental Protection and Health
310	Committee on Transportation, then to the Committee on Finance
311	Committee on Transportation, then to the Committee on Finance
312	Jointly to the Committee on Corrections and Rehabilitation and Public Employment and Government Operations, then to the Committee on Finance
313	Jointly to the Committees on Human Services and Health, then to the Committee on Finance
314	Committee on Water, Land Use Development and Hawaiian Affairs
315	Committee on Health, then to the Committee on Finance
316	Committee on Judiciary
317	Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs and Higher Education and the Arts, then to the Committee on Finance

- 318 Committee on Higher Education and the Arts, then to the Committee on Finance
- 319 Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 320 Committee on Education, then to the Committee on Finance
- 321 Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 322 Jointly to the Committees on Planning, Energy and Environmental Protection and Health, then to the Committee on Finance
- 323 Committee on Higher Education and the Arts, then to the Committee on Finance
- 324 Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 325 Jointly to the Committees on Health and Education, then to the Committee on Finance
- 326 Committee on Education, then to the Committee on Finance
- 327 Committee on Water, Land Use Development and Hawaiian Affairs
- 331 Committee on Higher Education and the Arts, then to the Committee on Finance
- 332 Jointly to the Committees on Human Services and Public Employment and Government Operations, then to the Committee on Finance
- 333 Committee on Consumer Protection and Commerce
- 334 Committee on Planning, Energy and Environmental Protection, then to the Committee on Finance
- 335 Committee on Education, then to the Committee on Finance
- 338 Committee on Education, then to the Committee on Finance
- 339 Committee on Higher Education and the Arts, then to the Committee on Finance
- 340 Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs and Housing, then to the Committee on Finance
- 341 Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Legislative Management
- 342 Committee on Transportation, then to the Committee on Finance
- 343 Committee on Finance
- 344 Committee on Higher Education and the Arts, then to the Committee on Finance
- 345 Committee on Transportation, then to the Committee on Finance
- 346 Jointly to the Committees on Education and Higher Education and the Arts, then to the Committee on Finance
- 347 Committee on Ocean and Marine Resources, then to the Committee on Finance
- 352 Committee on Water, Land Use Development and Hawaiian Affairs
- 353 Committee on Consumer Protection and Commerce
- 354 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 355 Committee on Corrections and Rehabilitation, then to the Committee on Finance
- 356 Committee on Employment Opportunities and Labor Relations, then to the Committee on Finance
- 357 Committee on Tourism, then to the Committee on Finance
- 358 Committee on Tourism, then to the Committee on Legislative Management
- 359 Committee on Water, Land Use Development and Hawaiian Affairs
- 360 Committee on Transportation, then to the Committee on Finance
- H.C.R. Nos.
- 104 Committee on Education, then to the Committee on Finance
- 105 Committee on Trans-

portation, then to the Committee on Finance

106 Jointly to the Committees on Planning, Energy and Environmental Protection and Health

107 Committee on Transportation, then to the Committee on Finance

108 Jointly to the Committees on Corrections and Rehabilitation and Public Employment and Government Operations, then to the Committee on Finance

109 Jointly to the Committees on Human Services and Health, then to the Committee on Finance

110 Committee on Health, then to the Committee on Finance

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

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

113 Committee on Higher Education and the Arts, then to the Committee on Finance

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

115 Committee on Education, then to the Committee on Finance

116 Committee on Higher Education and the Arts, then to the Committee on Finance

117 Committee on Planning, Energy and Environmental Protection, then to the Committee on Finance

118 Committee on Finance

119 Committee on Water, Land Use Development and Hawaiian Affairs

SUSPENSION OF RULES

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 400 to 403) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 400) honoring and proclaiming special recognition to Shannon Courtney Patricia Donohue was jointly offered by Representatives Tom, Ige, Blair, Bunda, Cachola, Crozier, Hashimoto, Hemmings, Hirono, Honda, Kihano, Kim, Kiyabu, Lardizabal, Leong, Lindsey, Metcalf, Morgado, Nakata, Onouye, Pfeil, Say, Shon, Souki, Takamine, Tam and Yoshimura.

On motion by Representative Tom, seconded by Representative Ige and carried, H.R. No. 400 was adopted.

Representative Tom then rose and stated:

"When I was first introduced to Courtney, I was more convinced than ever that I wanted a little girl just like her. With two boys of my own, I sometimes forget that little extra joy and tender loving care that only a little girl can bring to a dad.

"At the tender age of five, I know that for Courtney this day with the Legislature is going to be one of those memorable and everlasting moments that she will never forget.

"The resolution, Mr. Speaker, speaks for itself. Being the winner of the Lollipop and Roses and Hawaii Beauty Pageant, and being chosen as a finalist in the Today's Little Dream Pageant and the National Little Miss Pageant, with the Hawaii winner competing in Florida in both contests, these are accomplishments that most people are unable to accomplish at such a young age. Look at me, I haven't accomplished those things -- I'm a lot older than that.

"Kaneohe and the State of Hawaii have reason to be very proud of Courtney and also of her very proud parents."

At this time, Representative Tom introduced and asked to stand and be recognized the proud parents, Mr. Richard and Pat Donohue and in the gallery, Courtney's grandmother, Violet Nagano, and also the secretary for Representative Cachola, Sonya Lugmau.

Representative Tom then introduced the "future Miss Hawaii", Shannon Courtney Patricia Donohue, who was

asked to rise and be recognized.

Puakinekine leis were presented to Mrs. Donohue by Representative Cachola; to Mr. Donohue by Representative Hirono; to Courtney, a pink rosebud lei by Representative Ige and Representative Tom presented the honoree with a certified copy of the resolution.

A resolution (H.R. No. 401) congratulating and commending Michael J. Payton for his outstanding accomplishments as band instructor at Kahuku High School was jointly offered by Representatives Leong and Nakata.

A resolution (H.R. No. 402) commending and honoring Alan Akaka and congratulating him on the national prominence of the Kahuku Marching Band was jointly offered by Representatives Leong and Nakata.

On motion by Representative Leong, seconded by Representative Nakata and carried, H.R. Nos. 401 and 402 were adopted.

Representative Leong rose and stated:

"Michael Payton graduated from Hilo High School and received his B.A. in music education from the University of Hawaii and subsequently, earned his fifth year teachers certificate.

"Except for one semester at Nanai-kapono School, he has taught continuously at Kahuku High School since 1969.

"While a student at Hilo High, he played the percussion drum for the school's concert band, and organized a rock and roll group which won first prize at the Aloha Week competition in Hilo. Mike's group participated with some of the biggest name rock and roll groups at the Neal Blaisdell Center.

"While a student at the University, he played the percussion drum for the concert and jazz bands and supported himself through college playing professionally at night clubs.

"Following his graduation from the University, he filled in as a percussionist for the Honolulu Symphony Orchestra for two years. Michael has earned and commanded the respect of the entire community because of the tremendous energy, drive and talent that he brings to his work and his active participation in civic and community events.

"Michael is the father of three lovely daughters, Dawn, nineteen; Desiree, sixteen; Dusty, fifteen; and a son, David, ten. He is married to the former Dorene Sueno Suzuki and resides in Kahuku."

Representative Leong then asked to comment on Mr. Akaka and directed by the Chair "to proceed," stated:

"Alan Akaka is a 1974 graduate of the Kamehameha Schools and earned his Bachelor of Education degree in secondary music from the University of Hawaii in 1979.

"Immediately following his graduation, Alan accepted a teaching position at Kahuku High School, foregoing several other more lucrative choices primarily because of the established band program at Kahuku School. His contribution to the success of the Kahuku High School Marching Band has been outstanding.

"He composed an original song "Kilakila Kahuku", which won the first annual Pahu Award at the Kamehameha Schools Tournament of Bands.

"Alan is an accomplished musician. While attending Kamehameha Schools, he did research in Hawaiiana, particularly modern Hawaiian music and composed two songs.

"Alan was awarded several scholarships for his accomplishment in the field of general music. He continues to pursue his first love, music, and actively participated in the University Band playing the clarinet. Alan plays the steel guitar professionally and is presently performing at the Halekulani Hotel.

"He is the son of our esteemed Congressman, Daniel K. Akaka, who himself is a talented musician, and Alan is married to the former Wanda Machado. They have two children, Melodi, age six, and Mickey, age five."

At this time, Representative Leong introduced Mr. Payton and Mr. Akaka who were asked to stand and be recognized. Accompanying the honorees is the principal of Kahuku School, "which has the distinction of being a very good school although we have quite a few problems," Ms. Alma Cirino.

Floral leis were presented to Mr. Payton by Representative Hirono; to Mr. Akaka by Representative Hashimoto; to Ms. Cirino by Representative Nakata, and Representative Leong

presented the honorees with certified copies of the resolution.

A resolution (H.R. No. 403) commending and honoring the non-instrument celestial navigators, Mau Pailug and Nainoa Thompson, for their continued dedication in reviving and perpetuating the ancient art of celestial navigation for the benefit of the people of Hawaii and other Pacific nations was jointly offered by Representatives Apo and Jones.

On motion by Representative Apo, seconded by Representative Jones and carried, H.R. No. 403 was adopted.

Representative Apo then rose and stated:

"Mr. Speaker, before I present Mr. Pailug and Mr. Thompson to this Honorable Body, I'd like to take a few brief moments to place their achievements in historical perspective.

"Mr. Speaker, every ethnic culture when subjected to the test of time, seeks to distinguish itself from the rest of mankind by pointing to some significant achievement in its history that would make other men sit up and take notice. For the Polynesian, the single most distinguishing characteristic, the one thing that separates him from the rest of mankind in terms of achievement is his seafaring.

"Mr. Speaker, I submit to you that while another great seafaring people, the Nordic Vikings was still hugging the coast of Europe, afraid to venture beyond site of landfall -- a period in history when western man was only beginning to develop his sea legs fearing that he would fall off the ends of the earth -- years before Columbus set out to disprove that the world was flat or round -- the Polynesian navigator had traversed, conquered and settled all landfall separated by thousands of miles of the greatest ocean on earth. There is no way that the average man can possibly understand the complexity, or the almost impossible degree of difficulty faced by these courageous mariners, who with stone age tools, designed and constructed the most seaworthy ocean-going vessel of all time -- the voyaging canoe.

"We are indeed fortunate this morning, Mr. Speaker, to have with us one of the last living master navigators, who brings to Hawaii, to our people, a body of knowledge heretofore thought to be unretrievable.

"Mau Pailug comes to us from the tiny Micronesian atoll called Satawal where he is one of a handful of men chosen to shoulder both the blessings and curses of being a living anthropological study as he struggles with his own people to keep an unbroken, thousands-of-year old tradition, alive.

"Mau Pailug, in 1976, standing on the cold, open deck of the Hokule'a for thirty-two days and sailing in a vast area of the Pacific Ocean he had never seen, successfully navigated the Hokule'a to a pinpoint landing at Papeete, Tahiti.

"Heretofore, sceptical United States naval officials and other high-ranking modern-day mariners were left absolutely astounded and in awe of this man, who without benefit of charts, compass and sextant, in one dramatic voyage, wiped away years of academic controversy that the islands of the Pacific were discovered accidentally. Mau Pailug carries his charts, compass and sextant in his head along with computer-like memory banks of hundreds of star paths and celestial movements -- a body of knowledge passed on to him by his ancestors in the form of a highly disciplined oral tradition.

"With Mau Pailug this morning is a young Hawaiian, my good friend, Nainoa Thompson.

"Nainoa while still serving his apprenticeship under the tutelage of Mr. Pailug, has already distinguished himself as a non-instrument navigator on the Hokule'a's second trip to Tahiti in 1980.

"As mentioned in the resolution, Nainoa's making history by being the first native Hawaiian in over 500 years to seize the opportunity to retrieve and recapture voyaging skills that we thought to have been lost forever. I cannot emphasize the importance of Mr. Thompson's work to Hawaiian history and culture, not only in an academic sense, but in human terms.

"Nainoa has pushed himself to the leading edge of rebuilding of the Hawaiian culture through his applied research in Polynesian non-instrument navigation, thereby closing a centuries-old gap in Hawaiian history and retrieving a part of our history that will cause our children to stand a little taller and be proud of a most distinguished heritage.

"The work of both these men requires the highest degree of intellect

and raw courage, for as we have found, tragedy can lurk around any corner in the business of spanning thousands of miles of ocean without the benefit of modern navigational equipment, is no child's play.

"And so, Mr. Speaker, it is a great pleasure for me this morning to introduce these two men among men, who will live by the stars, wind, wave and bird for the next two years as the Hokule'a embarks on its third and most ambitious voyage of rediscovery, spanning 16,000 miles of the Polynesian triangle.

"First, I'd like to present the master navigator from the Island of Satawal, Mr. Mau Pailug," who was asked to stand and be recognized.

"And next, a man on whose shoulders rest a large chunk of the historical pride and dignity of the Hawaiian people, Mr. Nainoa Thompson.

"I would just like to say to the both of you -- that the members of this House wish to express our greatest admiration and wish you Godspeed on your journey into history."

At this time, orchid leis were presented to Mr. Pailug by Representative Tungpalan and to Mr. Thompson by Representative Kamali'i. Certified copies of the resolution were presented to Mr. Pailug by Representative Jones and to Mr. Thompson by Representative Lindsey.

Representative Apo continued his remarks, stating:

"Mr. Speaker, I know it's rather unusual, but it's a Polynesian tradition especially on the island of Satawal, that when you are honored that you have an exchange of gifts, and Mr. Pailug has brought with him, from Satawal, a hundred fathoms of sennit, handwoven -- and I don't have to tell you how many hours and hours that takes -- and he also wishes to express the fact that he has a lot better things to do rather than running around helping Hawaiians recapture their past -- but recognizing the problem in his own island of Satawal of keeping the tradition going, for the last few years, Mau Pailug has been one of the few people who possess this ancient knowledge, who has come forward willingly to share it; and his single purpose for being here is not for publicity or the drama but simply because he feels, deep in his heart, that he would like to help the Hawai-

ians recapture their past. At this time, I believe, he would like to present to you, on behalf of the people of Satawal, to all the people of Hawaii and the House of Representatives, his gift.

At this time, Mr. Pailug presented his gift to the Chair.

Representative Apo then stated:

"Mr. Speaker, I would like to close on a very brief note. Sometimes I used to wonder what happens to old navigators -- I know they don't die; they don't fade away, but if I could call the members of the House -- call their attention to the south end of the gallery -- old navigators become sea creatures.

"Thank you, Mr. Speaker."

Representative Jones then rose and stated:

"Just to add on to Mr. Apo's comments, I believe that these two men, if there are living treasures in Polynesia, these two men should be designated as "living treasures."

"America was molded by men and women like these with courage and a spirit of adventure. We like to praise, and we should praise, the people who go to the moon or on a space shuttle. We should never forget the challenge of crossing thousands of miles of wide open ocean without the benefit of western navigational aids, is a miracle in itself.

"As a sailor myself, Mr. Speaker, we are familiar with the ocean and a twenty foot wave doesn't sound too high, but if you just look about two thirds the way up of where you are, that's what a twenty foot wave looks like when you are in an outrigger canoe.

"It's quite a courageous event. This event is also historic and the record that will be made of this event, I hope will be the basis for educational courses in our schools and also with the Eagle Scouts and other people who can take advantage of this information that we are going to get. This event, Mr. Speaker, deserves worldwide media and academic attention, and I certainly hope we'll help it to achieve that.

"These men represent, for myself and for my children, role models that we will want our young to revere and to imitate.

"May their voyage be safe, successful and blessed. My only regret is that I cannot go with them. God bless you as you go.

"Thank you, Mr. Speaker."

Representative Hemmings then rose and stated:

"Mr. Speaker, Mau's ability borders on the spiritual -- and I have heard many tales about him and his journeys in the Pacific Basin, and he stands as an inspiration to all of us who know and love Hawaii and what we stand for here.

"But I would like to say a few comments about my paddling friend, Nainoa Thompson, because I know and love the sport of Hawaiian canoe racing; and I would like to say besides the anthropological and scientific value of what these men are doing, it has a tremendous value for our young people here today, in fact for all of us, because on the shores of all the Hawaiian islands there is the oldest sport in Hawaii, canoe racing, still going on.

"And sometimes, quite honestly Mr. Speaker, it grieves me because this great sport of Hawaii which was at the very heart of our culture, before the white man, is sometimes a stepchild in our own state, and we have provided through our resources and to the taxpayers' resources, assistance to many great sports in Hawaii, but not much to the sport of Hawaiian canoe racing; and I can tell you that Nainoa Thompson stands as an inspiration to all the people who participate in this modern day sport that dates to ancient Hawaii, and I am inspired by him and his efforts and I wish him all the best in his journeys.

"Thank you, Mr. Speaker."

Representative Crozier then rose and stated:

"I have never met these gentlemen until today, sir, but I would like to relive the day the Hokule'a came back to Hawaii in 1976.

"At that time, I was working in construction and I was a road builder and I was a pretty good road builder -- we always made our deadlines, we always made our cost.

"But the day the Hokule'a came back, practically the whole city of Honolulu shut down. Everybody went down to the Ala Moana Park to greet the Hokule'a when it came back.

Everybody in Hawaii was enthusiastic; they had the spirit of the revival of Hawaii; the revival of the Hawaiian culture and all of this.

"My family, my wife and my kids, went down -- they wanted me to go with them and I told them, 'no, you guys go ahead and go, daddy has to go to work, we've got to finish the road -- the endless road, we got to finish the endless road.' Well, anyway, they went on down to greet the Hokule'a and while I was on my job site, I went to check with one of the bulldozer operators and when I got there, the guy told me that he had to go home because his wife was giving birth; I guess that's the kind of boss I was, I wasn't too nice to the guy; so he told me the story that he had to go home because his wife was giving birth. So I said 'if your wife is giving birth, go, go.' So he goes home.

"That night we were having a party at my house with all my friends, friends from all of Polynesia, guys from Samoa, from Hawaii and all over -- big party going on -- and with the T.V. on, it is showing the Hokule'a coming back in and my young little boy is telling me, 'daddy, daddy, look for me. I am by the coconut tree.' Now there is a million people down at Ala Moana Park, now I cannot find my son but I'm playing along with him saying, 'yeah boy, yeah, yeah,' my daughter saying the same thing; all my friends we're drinking beer, cheering for the Hokule'a, and I'm in the spirit and then they panned the camera, focusing in on one young gentleman swimming to the Hokule'a and lo and behold, that was my bulldozer operator.

"His wife did not give birth that day. He went down to the Hokule'a. Of course, I was very upset and asked myself, 'how come this guy did this to me? You know, I'm his boss, his friend, why did he do that to me?' But at that moment, Mr. Speaker, I started to doubt my values. I started to think, 'hey, who's right in all of this? Everybody else is going in right field and I'm walking to left field.' And from then, after that it developed that by 1978, I ran for the Constitutional Convention and a lot of my values was changed and I can say it is because of the Hokule'a that I am here today.

"I would like to thank you folks, for doing what you have done. Your action has caused a reaction and my

story is a very small story, there must be millions of other stories out there.

"Thank you very much."

Representative Apo then rose and stated:

"Mr. Speaker, not to delay with the ceremony, but may I be permitted to make a relevant introduction for people in the gallery?"

The Chair directed Representative Apo to proceed.

Representative Apo then stated:

"Mr. Speaker, accompanying Mau Pailug this morning are his sons, Cesario and Peter and his son-in-law, Thomas. Also present in the gallery, are Nainoa Thompson's father and mother, Mr. and Mrs. Myron Thompson and Nainoa's grandmother, Mrs. Clarinda Lucas along with other members of the Polynesian Voyaging Society." They all were asked to stand and be recognized.

The Chair then stated:

"On behalf of all the members of the House, Mr. Pailug, I would like to thank you for your hookupu, appreciate that very much. Also, on behalf of all of the members of the House, the Chair would like to thank all of our honorees for joining us this morning."

At 12:25 o'clock p.m., the Chair declared a recess, subject to the call of the Chair "for the purpose of personally meeting and extending our personal aloha to each and every one of our honorees, this morning."

The House of Representatives reconvened at 12:42 o'clock p.m.

At this time Representative Ikeda, on a late introduction, introduced Mrs. Helene Hale, a former councilwoman from the Big Island and her sister, Barbara Bates, who is visiting from Philadelphia.

Representative Anderson rose and stated:

"Before we get down to business, I would like to honor one of the finest introductions that I have ever heard from Representative Apo. I think it was one with humor and one with culture and history in it. At this time I would really like to congratulate him; it was a fine, fine, fine introduction.

"Thank you, Mr. Speaker."

SUSPENSION OF RULES

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

UNFINISHED BUSINESS

Stand. Com. Rep. No. 957 on S.B. No. 245:

By unanimous consent, action was deferred one legislative day.

Stand. Com. Rep. No. 960 on S.B. No. 154, SD2:

By unanimous consent, action was deferred one legislative day.

Stand. Com. Rep. No. 963 on S.B. No. 1195, SD1:

By unanimous consent, action was deferred one legislative day.

Stand. Com. Rep. No. 967 on S.B. No. 1392:

By unanimous consent, action was deferred one legislative day.

Stand. Com. Rep. No. 968 on S.B. 1397, SD2:

By unanimous consent, action was deferred one legislative day.

Stand. Com. Rep. No. 970 on S.B. No. 32, SD1:

By unanimous consent, action was deferred one legislative day.

Stand. Com. Rep. No. 986 on S.B. 557:

By unanimous consent, action was deferred one legislative day.

Stand. Com. Rep. No. 987 on S.B. 714:

By unanimous consent, action was deferred one legislative day.

Stand. Com. Rep. No. 988 on S.B. 936:

By unanimous consent, action was deferred one legislative day.

Stand. Com. Rep. No. 989 on S.B. 1179:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 1179, having been read throughout, pass Third Reading, seconded by Representative Souki.

Representative Menor rose to speak against the bill, stating:

"Basically, Mr. Speaker, I think that the intent of the bill is an admirable one, that purpose being to try to streamline cost and paperwork by eliminating the requirement or to reduce the requirement that the executive branch submit voluminous reports or documents to the State Legislature.

"If this bill, Mr. Speaker, were to take into account, or covered those particular reports that are normally submitted to the Governor in the normal course of the departments or agencies' operations, to report back and to update the Governor on the fiscal and managerial operations of the department, then I would have no problem with this particular bill.

"However, as I read this bill, I believe that the bill is sufficiently broad in terms of its scope and language to cover those reports that are submitted to the Legislature on an annual basis, based on mandates included in our existing laws and statutes.

"For example, if you read the bill carefully, the bill covers reports or annual reports that are submitted by a state agency to either the Governor or another state agency. In that particular part of the statute, state agency is defined in a sufficiently broad manner so that it could be read or interpreted to cover the State Legislature; so, in fact, it could be argued that this particular provision covers reports submitted to the Legislature based on a mandate that is included under existing laws and statutes.

"Given the fact that if it appears that the language is broad so it might cover reports that the Legislature is mandated to be submitted to this body on an annual basis, I have concerns about language that would permit the executive branch to either waive or to consolidate reports that the Legislature has mandated for submittal to this particular Body.

"I would like to point out that the Legislature apparently in the past, has believed that certain annual reports are of a sufficiently important

nature that this body should be receiving these reports on a yearly basis.

"One example of that kind of report, Mr. Speaker, is the annual report of the Environmental Council, which in fact, requires reporting to the Legislature on the state pesticide and management policies and implementation of programs and efforts to ensure water quality control.

"Another example of a report is one that has been requested through a house resolution that would require annual evaluation reports on the driver education training program.

"Mr. Speaker, if we believe that these reports are no longer relevant, I think that perhaps that as an alternative to passing out this kind of a bill, that the more appropriate mechanism would be to engage in a careful review of each of our individual statute to determine what specific reports are no longer important to this body for review and what are important, and accordingly, we can provide for a more specific language in this particular bill.

"I also have some concerns, Mr. Speaker, about the fact that this bill appears to go beyond of simply giving the executive branch the authority to consolidate reports because there appears to be some very broad language in terms of reports being waived entirely in terms of submittal to the Legislature.

"For example, on page 3, there is some language to the effect that reports which are deemed to be no longer pertinent for program reporting purposes are not to be, or may not be provided to the State Legislature. Again, I'm kind of uncomfortable about this kind of broad waiver of provision, especially since this bill arguably encompasses reports that this legislative body has mandated, by statute, to be provided and presented to this body on an annual basis.

"The last concern that I have, Mr. Speaker, about this particular bill is with respect to the language of the bill that indicate that the legislature could still request and receive specific reports if we do so through a concurrent resolution.

"It seems to me, Mr. Speaker, that if this body, collectively, decides that a report is important enough that it should be submitted to us on an annual basis, whether or not the

Senate feels the same way, I think that the executive branch should have some obligation that should be mandated to present that report after we have requested it through a house resolution.

"I would like to point out that there have been instances in the past where we have requested annual reports through a house resolution, for example, we have a House Resolution No. 274 introduced during the Regular Session of 1971, requesting, as I mentioned before, an annual evaluation of reports on driver education training program or other examples of this, but I think that the Legislature should continue to have that basic authority.

"Again, Mr. Speaker, I agree with the general intent of the bill, but I think it is too broad in scope in terms of its language; I would not at all mind not receiving again reports, annual reports that are submitted to the Governor, but which are not mandated by statute.

"In my hand here, I have a report from the Department of Taxation as an annual report for 1983-1984. There is another annual report here from the Hawaii State Health Department for a given fiscal year -- these are reports that are submitted based on the desires of the individual agencies to present these reports, but they are not mandated and if the governor and the executive branch would want to curtail or restrict the submission of these reports, that would be fine. But I think that with respect to the reports we have mandated by statute that we ought to perhaps engage in a careful review of each statute to determine whether or not these reports are relevant or not, and not give a blanket authority to the executive branch to waiver or consolidate them.

"That, Mr. Speaker, is basically my objections to this particular bill and accordingly, I will vote against this bill.

"Thank you very much."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.B. No. 1179 entitled: "A BILL FOR AN ACT RELATING TO ANNUAL REPORTS", passed Third Reading by a vote of 40 ayes to 11 noes, with Representatives Hagino, Menor, Shon, Nakata, Gaulty, Taniguchi, Marumoto, Cavasso, Jones, Hemmings and Ikeda voting no.

The Chair directed the Clerk to note that S.B. No. 1179 had passed Third Reading at 12:50 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Bunda, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1001) recommending that H.C.R. No. 72, be referred to the Committee on Finance.

On motion by Representative Bunda, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.C.R. No. 72 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE SERVICES FOR SCHIZOPHRENICS PROVIDED BY THE MENTAL HEALTH DIVISION", was referred to the Committee on Finance.

Representatives Apo and Say, for the majority of the Committees on Ocean and Marine Resources and Water, Land Use Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1002) recommending that H.R. No. 211, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Apo, seconded by Representative Tam and carried, the joint report of the majority of the Committees was adopted and H.R. No. 211, HD1, entitled: "HOUSE RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO NEGOTIATE FOR THE LEASING OF SUBMERGED LANDS FOR RECLAMATION, AT THE EXPENSE OF THE LESSEE, AND IMPROVING THE DEVELOPMENT OF SUBMERGED LANDS AT KE'EHU LAGOON", was referred to the Committee on Finance.

Representatives Apo and Say, for the majority of the Committees on Ocean and Marine Resources and Water, Land Use Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1003) recommending that H.C.R. No. 60, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Apo, seconded by Representative Tam and carried, the joint report of the majority of the Committees was adopted and H.C.R. No. 60, HD1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO NEGOTIATE FOR THE LEASING OF SUBMERGED LANDS FOR RECLAMATION, AT THE EXPENSE OF THE

LESSEE, AND APPROVING THE DEVELOPMENT OF SUBMERGED LANDS AT KE'EHl LAGOON", was referred to the Committee on Finance.

Representatives Tungpalan and Yoshimura, for the Committees on Employment Opportunities and Labor Relations and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 1004) recommending that H.R. No. 193, as amended in HD1, be referred to the Committee on Judiciary.

On motion by Representative Tungpalan, seconded by Representative Taniguchi and carried, the joint report of the Committees was adopted and H.R. No. 193, HD1, entitled: "HOUSE RESOLUTION REQUESTING EQUAL PAY FOR COMPARABLE WORK", was referred to the Committee on Judiciary.

Representatives Andrews and Honda, for the Committee on Planning, Energy and Environmental Protection and Agriculture, presented a joint report (Stand. Com. Rep. No. 1005) recommending that H.R. No. 158, be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Honda and carried, the joint report of the Committees was adopted and H.R. No. 158, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE CONSOLIDATION OF ENVIRONMENTAL AND CLINICAL LABORATORY ANALYSIS FUNCTIONS", was referred to the Committee on Finance.

Representatives Andrews and Honda, for the Committees on Planning, Energy and Environmental Protection and Agriculture, presented a joint report (Stand. Com. Rep. No. 1006) recommending that H.C.R. No. 36, be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Honda and carried, the joint report of the Committees was adopted and H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE CONSOLIDATION OF ENVIRONMENTAL AND CLINICAL LABORATORY ANALYSIS FUNCTIONS", was referred to the Committee on Finance.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1007)

recommending that H.C.R. No. 8, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Tom and carried, the report of the Committee was adopted and H.C.R. No. 8, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INCORPORATION OF THE STATE PLAN INTO THE STATE BUDGET PROCESS", was referred to the Committee on Finance with Representative Liu registering a no vote.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1008) recommending that H.R. No. 49, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Tom and carried, the report of the Committee was adopted and H.R. No. 49, HD1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE BOARD OF LAND AND NATURAL RESOURCES' EFFORTS TO COMPLY WITH THE STATE PLANNING ACT COORDINATION PROCESS", was referred to the Committee on Finance with Representative Liu registering a no vote.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1009) recommending that H.C.R. No. 9, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Tom and carried, the report of the Committee was adopted and H.C.R. No. 9, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE BOARD OF LAND AND NATURAL RESOURCES' EFFORTS TO COMPLY WITH THE STATE PLANNING ACT COORDINATION PROCESS", was referred to the Committee on Finance with Representative Liu registering a no vote.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1010) recommending that H.R. No. 50, be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Tom and carried, the report of the Committee was adopted and H.R. No.

50, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE LAND USE COMMISSION'S EFFORTS TO COMPLY WITH THE STATE PLANNING ACT COORDINATION PROCESS", was referred to the Committee on Finance with Representative Liu registering a no vote.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1011) recommending that H.C.R. No. 10, be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Tom and carried, the report of the Committee was adopted and H.C.R. No. 10, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE LAND USE COMMISSION'S EFFORTS TO COMPLY WITH THE STATE PLANNING ACT COORDINATION PROCESS", was referred to the Committee on Finance with Representative Liu registering a no vote.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1012) recommending that H.R. No. 182, be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Tom and carried, the report of the Committee was adopted and H.R. No. 182, entitled: "HOUSE RESOLUTION ENCOURAGING THE RESEARCH, DEVELOPMENT, DEMONSTRATION OF ELECTRIC AND HYBRID VEHICLES IN HAWAII", was referred to the Committee on Finance.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1013) recommending that H.C.R. No. 49 be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Tom and carried, the report of the Committee was adopted and H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE RESEARCH, DEVELOPMENT, DEMONSTRATION OF ELECTRIC AND HYBRID VEHICLES IN HAWAII", was referred to the Committee on Finance.

Representative Andrews and Morgado, for the Committees on Planning, Energy and Environmental Protection and Education, presented a joint

report (Stand. Com. Rep. No. 1014) recommending that H.C.R. No. 38, as amended in HD1, be adopted.

On motion by Representative Andrews, seconded by Representative Morgado and carried, the report of the Committees was adopted and H.C.R. No. 38, HD1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION FUNCTIONAL PLAN", was adopted with Representatives Hemmings, Marumoto and Liu registering a no vote.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 388 to 399 and 404 to 413) and concurrent resolutions (H.C.R. Nos. 132 to 139) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 388) calling for an investigation of high hospital costs was jointly offered by Representatives Onouye, Blair, Bunda, Cavasso, Crozier, Hemmings, Hirono, Levin, Liu, Menor, Metcalf, Morgado, Pfeil, Shon and Takamine.

A resolution (H.R. No. 389) requesting a feasibility study by the Department of Accounting and General Services regarding the purchase and utilization of an automatic fingerprint identification system by the State of Hawaii was jointly offered by Representatives Onouye, Blair, Bunda, Cavasso, Crozier, Hemmings, Hirono, Levin, Liu, Menor, Metcalf, Morgado, Pfeil, Shon and Takamine.

A resolution (H.R. No. 390) requesting a feasibility study of computer compatibility amongst state-operated data systems was jointly offered by Representatives Onouye, Blair, Bunda, Cavasso, Crozier, Hemmings, Hirono, Levin, Liu, Menor, Metcalf, Morgado, Pfeil, Shon and Takamine.

A resolution (H.R. No. 391) requesting the Department of Social Services and Housing to use the Hawaii Tax Map Key Alphabetical index to verify real property assets of public assistance applicants was offered by Representative Jones.

A resolution (H.R. No. 392) requesting the Thirteenth Legislature of the House of Representatives supports the decision of the United States Congress on Peacekeeper Missile was jointly offered by Representatives Jones, Cavasso, Hemmings, Liu and Marumoto.

A resolution (H.R. No. 393) requesting the Executive Office on Aging to develop a master plan on a single access system of medical care and home and community services for the elderly was jointly offered by Representatives Grauly and Leong.

A resolution (H.R. No. 394) urging the Hawaii Paroling Authority to publish in newspapers of general circulation the hearing dates for upcoming minimum sentence hearings and upcoming parole hearings was jointly offered by Representatives Onouye, Bunda, Grauly, Lardizabal, Lindsey, Oshiro, Pfeil, Shon and Yoshimura.

A resolution (H.R. No. 395) requesting the Office of the Lieutenant Governor to include in its voter education activities an explanation of the Hawaii Election Campaign Fund and an explanation of the Hawaii Election Campaign Fund authorization box found on the State tax form was jointly offered by Representatives Onouye, Grauly, Hirono, Lardizabal, Oshiro, Pfeil, Shon and Yoshimura.

A resolution (H.R. No. 396) requesting the Department of Planning and Economic Development to establish a business permit and licensing division center for the purpose of disseminating the most commonly requested State, City and Federal business-related applications, forms and printed information was jointly offered by Representatives Onouye, Bunda, Grauly, Hirono, Lardizabal, Lindsey, Oshiro, Pfeil, Shon and Yoshimura.

A resolution (H.R. No. 397) requesting State agencies which process applications for business permits and licenses to submit processing reports indicating the types of applications, receipt dates of applications, action taken and elapsed time until final action on the applications was jointly offered by Representatives Onouye, Bunda, Grauly, Lardizabal, Lindsey, Oshiro, Pfeil, Shon and Yoshimura.

A resolution (H.R. No. 398) requesting the implementation of the recommendations contained in the report on the interstate transmission of criminal justice data and information was jointly offered by Representatives Tom, Anderson, Andrews, Apo, Bunda, Cavasso, Crozier, Hashimoto, Hemmings, Hirono, Honda, Jones, Kihano, Kiyabu, Lardizabal, Leong, Lindsey, Marumoto, Morgado, Nakata, Onouye, Oshiro, Shito, Shon, Souki, Tam and Yoshimura.

A resolution (H.R. No. 399) request-

ing the Department of Land and Natural Resources to determine the most feasible strategy for properly managing ʻōgo and limu manauea seaweed beds for the benefit of Hawaii's residents was offered by Representative Oshiro.

A resolution (H.R. No. 404) requesting the State Attorney General and the United States Attorney to investigate and prosecute forthwith, if warranted, alleged violations of law in connection with the management and operation of certain industrial loan companies was jointly offered by Representatives Shito, Hirono, Nakata, Kim, Okamura, Taniguchi, Andrews, Apo, Blair, Cachola, Crozier, Grauly, Hagino, Hashimoto, Honda, Kawakami, Kihano, Kiyabu, Leong, Levin, Menor, Nakasato, Onouye, Oshiro, Shon, Souki, Tam, Tom and Tungpalan.

A resolution (H.R. No. 405) requesting an analysis of an early retirement incentive program was jointly offered by Representatives Isbell, Apo, Ikeda, Kawakami, Nakata, Okamura and Tam.

A resolution (H.R. No. 406) requesting the Department of Land and Natural Resources to investigate the possibility of acquiring the privately owned land adjacent to the proposed Hawaii Ocean Science Technology Park, Keahole, Hawaii, was jointly offered by Representatives Isbell, Apo, Ikeda, Kamali'i, Kawakami, Nakata, Okamura, Tam and Tungpalan.

A resolution (H.R. No. 407) requesting the University of Hawaii in its admission of non-resident students to give preference to students supported through programs of the Western Interstate Commission for Higher Education (WICHE) was offered by Representative Levin.

A resolution (H.R. No. 408) requesting a study of the feasibility of establishing a competitive state workers' compensation insurance fund was jointly offered by Representatives Shito, Bunda, Andrews, Blair, Hashimoto, Honda, Jones, Kihano, Levin, Shon and Tam.

A resolution (H.R. No. 409) requesting the House Committee on Housing to study present policies and laws of Hawaii and their impact on housing was offered by Representative Hashimoto.

A resolution (H.R. No. 410) relating to a study of medical professional

liability insurance by the House Committees on Health and Consumer Protection and Commerce was jointly offered by Representatives Bunda, Shito and Cachola.

A resolution (H.R. No. 411) requesting the Land Evaluation and Site Assessment Commission to present a review of its past and proposed activities in the furtherance of its responsibilities under Act 273, Session Laws of Hawaii 1983, and Senate Bill No. 1397, Regular Session of 1985 was jointly offered by Representatives Honda and Say.

A resolution (H.R. No. 412) requesting the Attorney General of the State of Hawaii to release criminal investigation responsibilities as to events and persons involved with Thrift Guaranty Corporation's dealings during 1977-1983 to the City and County of Honolulu's Prosecuting Attorney's Office was jointly offered by Representatives Jones, Liu, Cachola, Cavasso, Hemmings, Ikeda, Isbell, Kamali'i, Marumoto and Pfeil.

A resolution (H.R. No. 413) requesting the establishment of a legislative special investigative committee to examine allegations of malfeasance or misconduct on the part of public officials in connection with Thrift Guaranty Corporation was jointly offered by Representatives Jones, Liu, Cachola, Cavasso, Hemmings, Ikeda, Isbell, Kamali'i, Marumoto, Medeiros and Pfeil.

A concurrent resolution (H.C.R. No. 132) requesting the implementation of the recommendations contained in the report on the interstate transmission of criminal justice data and information was jointly offered by Representatives Tom, Anderson, Andrews, Apo, Bunda, Cavasso, Crozier, Hashimoto, Hemmings, Hirono, Honda, Jones, Kihano, Kiyabu, Lardizabal, Leong, Lindsey, Marumoto, Morgado, Nakata, Onouye, Oshiro, Say, Shito, Shon, Souki, Tam and Yoshimura.

A concurrent resolution (H.C.R. No. 133) requesting the State Attorney General and the United States Attorney to investigate and prosecute forthwith, if warranted, alleged violations of law in connection with the management and operation of certain industrial loan companies was jointly offered by Representatives Shito, Hirono, Nakata, Kim, Okamura, Taniguchi, Andrews, Apo, Blair, Cachola, Crozier, Grauly, Hagino, Hashimoto, Honda, Kawakami, Kihano, Kiyabu, Leong, Levin, Menor, Naka-

sato, Onouye, Oshiro, Shon, Souki, Tam, Tom and Tungpalan.

A concurrent resolution (H.C.R. No. 134) requesting the University of Hawaii in its admission of no-resident students to give preference to students supported through programs of the Western Interstate Commission for Higher Education (WICHE) was offered by Representative Levin.

A concurrent resolution (H.C.R. No. 135) requesting the Department of Land and Natural Resources to investigate the possibility of acquiring the privately owned land adjacent to the proposed Hawaii Ocean Science Technology Park, Keahole, Hawaii was jointly offered by Representatives Isbell, Apo, Ikeda, Kamali'i, Kawakami, Nakata, Okamura, Tam and Tungpalan.

A concurrent resolution (H.C.R. No. 136) requesting an analysis of an early retirement incentive program was jointly offered by Representatives Isbell, Apo, Ikeda, Kawakami, Nakata, Okamura and Tam.

A concurrent resolution (H.C.R. No. 137) requesting a study of the feasibility of establishing a competitive state workers' compensation insurance fund was jointly offered by Representatives Shito, Bunda, Andrews, Blair, Hashimoto, Honda, Jones, Kihano, Levin, Shon and Tam.

A concurrent resolution (H.C.R. No. 138) requesting the Attorney General of the State of Hawaii to release criminal investigation responsibilities as to events and persons involved with Thrift Guaranty Corporations' dealings during 1977-1983 to the City and County of Honolulu's Prosecuting Attorney's Office was jointly offered by Representatives Jones, Liu, Cachola, Cavasso, Hemmings, Isbell, Kamali'i, Marumoto and Pfeil.

A concurrent resolution (H.C.R. No. 139) requesting the establishment of a legislative special investigative committee to examine allegations of malfeasance or misconduct on the part of the public officials in connection with Thrift Guaranty Corporation was jointly offered by Representatives Jones, Liu, Cachola, Cavasso, Hemmings, Ikeda, Isbell, Kamali'i, Marumoto, Medeiros and Pfeil.

ANNOUNCEMENTS

The following announcements were

made to the members of the House:

Representative Bunda: "Just to remind committee members of Consumer Protection and Commerce, we will be having a hearing at 1:30 today in Room 328. Decision making to follow."

The Chair then announced "subject matter committee chairmen are reminded to communicate your intentions

to agree or disagree to my office as soon as possible and your recommendations on conferees."

ADJOURNMENT

At 12:55 o'clock p.m., on motion by Representative Okamura, seconded by Representative Ikeda and carried, the House of Representatives adjourned until 11:00 o'clock a.m., Monday, April 8, 1985.

FIFTY-FIRST DAY

Monday, April 8, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:12 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Robert Kesler of the Kailua United Methodist Church, after which the Roll was called showing all members present with the exception of Representatives Anderson, Andrews, Crozier, Leong, Morgado, Takamine and Yoshimura, who were excused.

By unanimous consent, reading of the Journal of the House of Representatives of the Fiftieth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 502 to 540) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 502) transmitting Senate Concurrent Resolution No. 36, SD 1, requesting an audit of the School of Medicine of the University of Hawaii, which was adopted by the Senate on April 4, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 36, SD 1, was deferred.

A communication from the Senate (Sen. Com. No. 503) informing the House that the amendments proposed by the House to Senate Bill No. 35 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 504) informing the House that the amendments proposed by the House to Senate Bill No. 64, SD 2 (HD 2), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 505) informing the House that the amendments proposed by the House to Senate Bill No. 70, SD 1 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 506) informing the

House that the amendments proposed by the House to Senate Bill No. 95 (HD 2), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 507) informing the House that the amendments proposed by the House to Senate Bill No. 99 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 508) informing the House that the amendments proposed by the House to Senate Bill No. 102 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 509) informing the House that the amendments proposed by the House to Senate Bill No. 127, SD 1 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 510) informing the House that the amendments proposed by the House to Senate Bill No. 132, SD 1 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 511) informing the House that the amendments proposed by the House to Senate Bill No. 170, SD 2 (HD 2), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 512) informing the House that the amendments proposed by the House to Senate Bill No. 189, SD 1 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 513) informing the House that the amendments proposed by the House to Senate Bill No. 234, SD 1 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 514) informing the House that the amendments proposed by the House to Senate Bill No. 235, SD 1 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate

by the House to Senate Bill No. 1231, SD 1 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 534) informing the House that the amendments proposed by the House to Senate Bill No. 1299, SD 1 (HD 2), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 535) informing the House that the amendments proposed by the House to Senate Bill No. 1310, SD 1 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 536) informing the House that the amendments proposed by the House to Senate Bill No. 1354, SD 1 (HD 2), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 537) informing the House that the amendments proposed by the House to Senate Bill No. 1365, SD 1 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 538) informing the House that the amendments proposed by the House to Senate Bill No. 1386 (HD 1), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 539) informing the House that the amendments proposed by the House to Senate Bill No. 1487, SD 2 (HD 2), were agreed to by the Senate on April 4, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 540) informing the House that the Senate has disagreed to the amendments proposed by the House to the Senate bills hereinafter named, and has requested conferences on the respective subject matters thereof, in consequence of which the President has, on April 4, 1985, appointed Managers on the part of the Senate for the consideration of said amendments, was placed on file.

In accordance therewith, the Chair appointed the following Managers on the part of the House for the consideration of said amendments to the Senate bills hereinafter named, as follows:

S.B. No. 20, SD 1, HD 2:

Senate Conferees: Senators Yamasaki, Chairman; Solomon, Hagino, Mizuguchi and Soares.

House Conferees: Representatives Kiyabu/Honda, Co-Chairmen; Crozier, Kim, Leong and Kamali'i.

S.B. No. 59, SD 1, HD 1:

Senate Conferees: Senators B. Kobayashi, Chairman; Toguchi and A. Kobayashi.

House Conferees: Representatives Bunda/Morgado, Co-Chairmen; Hashimoto, Kihano, Lindsey and Liu.

S.B. No. 76, SD 1, HD 1:

Senate Conferees: Senators B. Kobayashi, Chairman; Matsuura and George.

House Conferees: Representatives Tom, Chairman; Apo, Bunda, Metcalf and Jones.

S.B. No. 78, SD 1, HD 2:

Senate Conferees: Senators Machida, Chairman; Holt and A. Kobayashi.

House Conferees: Representatives Tom/Tungpalan/Takamine, Co-Chairmen; Leong, Metcalf, Nakata and Anderson.

S.B. No. 83, SD 2, HD 1:

Senate Conferees: Senators Yamasaki, Chairman; Solomon, Matsuura, Hagino and Soares.

House Conferees: Representatives Kiyabu/Say, Honda, Co-Chairmen; Crozier, Nakata, Tajiri, Isbell and Kamali'i.

S.B. No. 90, SD 1, HD 1:

Senate Conferees: Senators Aki, Chairman; Young and Soares.

House Conferees: Representatives Apo/Crozier, Co-Chairmen; Kihano, Kim, Nakata, Oshiro, Shon and Isbell.

S.B. No. 93, HD 1:

Senate Conferees: Senators Aki, Chairman; Matsuura and Soares.

House Conferees: Representatives Apo, Chairman; Hagino, Metcalf, Shon and Kamali'i.

S.B. No. 113, SD 2, HD 2:

Senate Conferees: Senators Yamasaki, Chairman; Abercrombie, Holt, Mizuguchi and A. Kobayashi.

House Conferees: Representatives Gaulty/Souki, Co-Chairmen; Cachola, Lardizabal, Leong, Levin, Lindsey, Isbell and Liu.

S.B. No. 115, SD 1, HD 1:

Senate Conferees: Senators Yamasaki, Chairman; Mizuguchi, Fernandes-Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares.

House Conferees: Representatives Kiyabu, Chairman; Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i.

S.B. No. 133, SD 1, HD 1:

Senate Conferees: Senators Cayetano, Chairman; B. Kobayashi and George.

House Conferees: Representatives Taniguchi/Souki, Co-Chairmen; Kim, Oshiro, Tajiri and Isbell.

S.B. No. 149, SD 1, HD 1:

Senate Conferees: Senators Aki, Chairman; Hagino and Henderson.

House Conferees: Representatives Andrews/Say, Co-Chairmen; Apo, Crozier, Tajiri and Pfeil.

S.B. No. 163, HD 1:

Senate Conferees: Senators Cayetano, Chairman; Toguchi and Soares.

House Conferees: Representatives Taniguchi/Say, Co-Chairmen; Metcalf, Oshiro and Kamali'i.

S.B. No. 201, SD 1, HD 1:

Senate Conferees: Senators Cobb, Chairman; B. Kobayashi and Henderson.

House Conferees: Representatives Shito, Chairman; Bunda, Hashimoto, Menor and Liu.

S.B. No. 217, SD 1, HD 1:

Senate Conferees: Senators Cobb, Chairman; McMurdo and A. Kobayashi.

House Conferees: Representatives Shito, Chairman; Bunda, Hashimoto, Hirono, Taniguchi and Medeiros.

S.B. No. 224, HD 1:

Senate Conferees: Senators Cobb, Chairman; Young and A. Kobayashi.

House Conferees: Representatives Shito/Hashimoto, Co-Chairmen; Apo, Metcalf and Jones.

S.B. No. 237, SD 2, HD 1:

Senate Conferees: Senators Yamasaki, Chairman; Mizuguchi, Fernandes-Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares.

House Conferees: Representatives Kiyabu, Chairman; Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i.

S.B. No. 239, SD 2, HD 1:

Senate Conferees: Senators Yamasaki, Chairman; Mizuguchi, Fernandes-Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares.

House Conferees: Representatives Kiyabu, Chairman; Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i.

S.B. No. 249, SD 1, HD 1:

Senate Conferees: Senators Chang, Chairman; Kuroda and B. Kobayashi.

House Conferees: Representatives Tom/Menor, Co-Chairmen; Blair and Metcalf.

S.B. No. 253, SD 1, HD 1:

Senate Conferees: Senators Chang,
Chairman; Aki and George.

House Conferees: Representatives
Tom, Chairman; Blair, Hirono, Metcalf
and Jones.

S.B. No. 280, SD 1, HD 1:

Senate Conferees: Senators Aki,
Chairman; Matsuura and Henderson.

S.B. No. 309, SD 1, HD 1:

Senate Conferees: Senators Cobb,
Chairman; Abercrombie, Cayetano,
Kawasaki and Henderson.

House Conferees: Representatives
Shito, Chairman; Apo, Hirono and
Liu.

S.B. No. 327, SD 1, HD 1:

Senate Conferees: Senators Cobb,
Chairman; Cayetano and Henderson.

House Conferees: Representatives
Shito, Chairman; Bunda, Hirono,
Menor and Liu.

S.B. No. 384, HD 1:

Senate Conferees: Senators
Yamasaki, Chairman; Mizuguchi,
Fernandes-Salling; Hagino, Hee, Holt,
B. Kobayashi, Machida, Matsuura,
McMurdo, Solomon, Henderson and
Soares.

House Conferees: Representatives
Kiyabu, Chairman; Cachola, Crozier,
Kihano, Kim, Lardizabal, Leong,
Nakata, Oshiro, Souki, Tajiri,
Takamine, Anderson, Isbell and
Kamali'i.

S.B. No. 459, SD 2, HD 2:

Senate Conferees: Senators
Yamasaki, Chairman; Chang, Kuroda,
Mizuguchi and George.

House Conferees: Representatives
Tom/Kim, Co-Chairmen; Leong,
Metcalf, Tajiri, Tungpalan, Kamali'i
and Liu.

S.B. No. 460, SD 2, HD 2:

Senate Conferees: Senators
Yamasaki, Chairman; Chang, Kuroda,
Mizuguchi and George.

House Conferees: Representatives

Tom/Tajiri, Co-Chairmen; Kim,
Leong, Metcalf, Tungpalan, Kamali'i
and Liu.

S.B. No. 461, SD 1, HD 1:

Senate Conferees: Senators Chang,
Chairman; Young and A. Kobayashi.

House Conferees: Representatives
Tom, Chairman; Hashimoto, Metcalf,
Taniguchi and Medeiros.

S.B. No. 462, SD 1, HD 1:

Senate Conferees: Senators Chang,
Chairman; Aki and George.

S.B. No. 463, SD 1, HD 2:

Senate Conferees: Senators
Yamasaki, Chairman; Chang,
Kawasaki, Mizuguchi and A.
Kobayashi.

House Conferees: Representatives
Kiyabu/Tom, Co-Chairmen; Metcalf,
Oshiro, Souki, Takamine, Tungpalan,
Isbell and Medeiros.

S.B. No. 471, SD 2, HD 1:

Senate Conferees: Senators
Yamasaki, Chairman; Machida,
Mizuguchi, Holt and George.

S.B. No. 539, SD 1, HD 1:

Senate Conferees: Senators Cobb,
Chairman; Chang, Kawasaki, McMurdo
and A. Kobayashi.

House Conferees: Representatives
Shito, Chairman; Andrews, Metcalf,
Taniguchi and Medeiros.

S.B. No. 588, SD 1, HD 1:

Senate Conferees: Senators
Yamasaki, Chairman; Holt, Machida,
Mizuguchi and George.

House Conferees: Representatives
Shito, Chairman; Andrews, Apo,
Metcalf and Medeiros.

S.B. No. 589, SD 2, HD 1:

Senate Conferees: Senators
Yamasaki, Chairman; Holt, Machida,
Mizuguchi and George.

S.B. No. 592, SD 1, HD 2:

Senate Conferees: Senators Chang,
Chairman; Young and A. Kobayashi.

House Conferees: Representatives
Tom/Souki, Co-Chairmen; Kim,
Leong, Menor, Metcalf, Takamine,
Isbell and Jones.

S.B. No. 610, SD 1, HD 1:

Senate Conferees: Senators Chang,
Chairman; Cobb and A. Kobayashi.

House Conferees: Representatives
Tom/Takamine, Co-Chairmen; Blair,
Hirono, Lardizabal, Metcalf, Nakata,
Oshiro and Jones.

S.B. No. 615, SD 1, HD 2:

Senate Conferees: Senators Chang,
Chairman; Cayetano and A.
Kobayashi.

House Conferees: Representatives
Andrews/Say/Tom, Co-Chairmen;
Apo, Metcalf and Kamali'i.

S.B. No. 665, SD 1, HD 2:

Senate Conferees: Senators Cobb,
Chairman; Chang, Kuroda, Matsuura
and A. Kobayashi.

House Conferees: Representatives
Shito/Tajiri, Co-Chairmen; Hashimoto,
Kim, Kiyabu, Leong, Nakata,
Taniguchi, Anderson and Medeiros.

S.B. No. 669, SD 1, HD 1:

Senate Conferees: Senators Cobb,
Chairman; Chang, Kuroda, Matsuura
and Henderson.

S.B. No. 702, SD 2, HD 2:

Senate Conferees: Senators
Yamasaki, Chairman; B. Kobayashi,
Matsuura, Mizuguchi and A.
Kobayashi.

House Conferees: Representatives
Andrews/Crozier, Co-Chairmen;
Cachola, Kihano, Metcalf, Nakata,
Shon and Isbell.

S.B. No. 726, SD 2, HD 2:

Senate Conferees: Senators
Yamasaki, Chairman; Cobb, B.
Kobayashi, Kuroda and Soares.

House Conferees: Representatives
Shito/Souki, Co-Chairmen; Andrews,

Apo, Cachola, Lardizabal, Oshiro,
Taniguchi and Isbell.

S.B. No. 854, SD 1, HD 1:

Senate Conferees: Senators
Cayetano, Chairman; Toguchi and
Soares.

House Conferees: Representatives
Taniguchi, Chairman; Onouye, Oshiro
and Hemmings.

S.B. No. 932, SD 1, HD 1:

Senate Conferees: Senators Cobb,
Chairman; Chang, Kuroda, McMurdo
and Henderson.

House Conferees: Representatives
Shito/Hashimoto, Co-Chairmen; Metcalf
and Medeiros.

S.B. No. 937, SD 2, HD 2:

Senate Conferees: Senators
Yamasaki, Chairman; Matsuura, Aki,
Mizuguchi and Soares.

House Conferees: Representatives
Kiyabu/Andrews, Co-Chairmen;
Cachola, Crozier, Kihano, Kim,
Lardizabal, Leong, Nakata, Oshiro,
Souki, Tajiri, Takamine, Anderson,
Isbell and Kamali'i.

S.B. No. 1057, SD 1, HD 1:

Senate Conferees: Senators
Yamasaki, Chairman; Mizuguchi,
Fernandes-Salling, Hagino, Hee, Holt,
B. Kobayashi, Machida, Matsuura,
McMurdo, Solomon, Henderson and
Soares.

House Conferees: Representatives
Kiyabu, Chairman; Cachola, Crozier,
Kihano, Kim, Lardizabal, Leong,
Nakata, Oshiro, Souki, Tajiri,
Takamine, Anderson, Isbell and
Kamali'i.

S.B. No. 1089, SD 2, HD 1:

Senate Conferees: Senators
Yamasaki, Chairman; Chang,
Cayetano, Mizuguchi and A.
Kobayashi.

House Conferees: Representatives
Kiyabu, Chairman; Crozier, Souki,
Tajiri and Kamali'i.

S.B. No. 1127, SD 1, HD 2:

Senate Conferees: Senators Cobb, Chairman; Cayetano, B. Kobayashi, McMurdo and Henderson.

House Conferees: Representatives Bunda, Chairman; Cachola, Leong, Levin and Jones.

S.B. No. 1144, SD 1, HD 1:

Senate Conferees: Senators Cobb, Chairman; B. Kobayashi and McMurdo.

House Conferees: Representatives Shito, Chairman; Bunda, Menor, Taniguchi and Medeiros.

S.B. No. 1155, SD 1, HD 1:

Senate Conferees: Senators Cayetano, Chairman; Chang and George.

House Conferees: Representatives Tom, Chairman; Metcalf, Taniguchi and Liu.

S.B. No. 1157, SD 1, HD 1:

Senate Conferees: Senators Chang, Chairman; Abercrombie and George.

House Conferees: Representatives Menor/Grauly, Co-Chairmen; Blair, Leong and Jones.

S.B. No. 1170, HD 2:

Senate Conferees: Senators Yamasaki, Chairman; Machida, Holt, Mizuguchi and A. Kobayashi.

S.B. No. 1185, SD 1, HD 1:

Senate Conferees: Senators Yamasaki, Chairman; Mizuguchi, Fernandes-Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares.

House Conferees: Representatives Bunda, Chairman; Grauly, Hirono, Kihano, Lindsey and Cavasso.

S.B. No. 1186, SD 2, HD 1:

Senate Conferees: Senators Yamasaki, Chairman; B. Kobayashi, Machida, Mizuguchi and A. Kobayashi.

House Conferees: Representatives Bunda/Kiyabu, Co-Chairmen;

Hashimoto, Kihano, Leong, Levin, Lindsey, Souki, Tajiri, Isbell and Liu.

S.B. No. 1193, SD 2, HD 2:

Senate Conferees: Senators Yamasaki, Chairman; Aki, Matsuura, Young and Soares.

House Conferees: Representatives Say/Kiyabu, Co-Chairmen; Apo, Nakata, Oshiro, Shon, Tajiri, Anderson and Isbell.

S.B. No. 1224, SD 1, HD 1:

Senate Conferees: Senators Aki, Chairman; Young and Soares.

House Conferees: Representatives Apo, Chairman; Metcalf, Shon, Tam and Pfeil.

S.B. No. 1264, SD 1, HD 1:

Senate Conferees: Senators Cayetano, Chairman; Toguchi and George.

House Conferees: Representatives Oshiro/Nakasato, Co-Chairmen; Lardizabal, Tungpalan and Anderson.

S.B. No. 1270, SD 1, HD 1:

Senate Conferees: Senators Cobb, Chairman; Cayetano, Chang, McMurdo and Henderson.

House Conferees: Representatives Shito, Chairman; Andrews, Hashimoto, Metcalf and Medeiros.

S.B. No. 1286, SD 2, HD 2:

Senate Conferees: Senators Yamasaki, Chairman; Holt, Abercrombie, Young and Soares.

S.B. No. 1287, SD 2, HD 2:

Senate Conferees: Senators Yamasaki, Chairman; Holt, Mizuguchi, Young and Soares.

S.B. No. 1358, SD 1, HD 2:

Senate Conferees: Senators Chang, Chairman; Cayetano and George.

House Conferees: Representatives Tom/Kihano, Co-Chairmen; Blair, Hirono, Kim, Lardizabal, Metcalf,

Takamine, Kamali'i and Liu.

S.B. No. 1404, HD 1:

Senate Conferees: Senators Chang,
Chairman; Cobb and A. Kobayashi.

House Conferees: Representatives
Tom, Chairman; Hirono, Metcalf,
Taniguchi and Liu.

S.B. No. 1408, SD 2, HD 1:

Senate Conferees: Senators
Yamasaki, Chairman; Chang,
Mizuguchi, Young and A. Kobayashi.

House Conferees: Representatives
Tom, Chairman; Hashimoto, Metcalf,
Taniguchi and Liu.

S.B. No. 1413, SD 1, HD 1:

Senate Conferees: Senators Chang,
Chairman; Toguchi and A. Kobayashi.

S.B. No. 1432, SD 2, HD 1:

Senate Conferees: Senators
Yamasaki, Chairman; Abercrombie, B.
Kobayashi, Machida and A.
Kobayashi.

House Conferees: Representatives
Grauly/Souki, Co-Chairmen; Cachola,
Leong, Nakata, Shito, Isbell and Liu.

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

Representative Hashimoto introduced 80 students from Pearl City Highlands Elementary School. They were accompanied by their teachers, Mrs. Joan Higashi, Mrs. Amy Hironaka and Mr. Wayne Sakai.

Representative Kiyabu introduced a group of students in grades 1 through 6 from the Resource Room at Aliiolani School. They were accompanied by Miss Alton, their teacher; Mrs. Kawatachi, counselor; and Mrs. Helen Alton, chaperone and mother of Miss Alton.

Representative Lardizabal introduced Sky Flagg Spindt; his mother, Spindt Ingrid Flagg; and grandmother, Mrs. Ann Flagg, all of Kauai.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Okamura, seconded by Representative Ikeda and carried, the rules were suspended for the purpose of considering a resolution.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 415) honoring Dr. Haing S. Ngor, humanitarian and winner of the 1985 Academy Award for Best Supporting Actor was jointly offered by Representatives Hagino and Tam.

On motion by Representative Hagino, seconded by Representative Tam and carried, H.R. No. 415 was adopted.

Representative Hagino rose and stated:

"Mr. Speaker, I have a few words to say on behalf of the honoree today. For those of us who have been able to see the movie, and I know everyone who hasn't will soon see the movie, we can see that the life of the individuals involved in the movie are truly a testament to the human spirit. But what we are here today is not to honor the role of Dith Pran, but to honor the man, the actor, the humanitarian, that compassionate individual -- Dr. Haing Ngor.

"His life is even more incredible than what you have seen or will see in the movie. His life is truly a testament to the human spirit, not only to survive incalculable odds, but to flourish and to maintain a sense of compassion. After fleeing from the work camps in Cambodia, he continued his work in the refugee camps in Thailand, working with the many hundreds of thousands of refugees there, practicing his medical knowledge which he had gained earlier. Today, even in the United States, he continues that same compassionate spirit by working with refugee programs.

"I really have not much more to add. I think those of you who were here at the presentation of a short reception for him could see the graciousness that he displayed to all people who came to see him and asked for his autograph.

"At this time, it really is a great honor for me to present to you the man who was a tremendous humanitarian, the man who really, I think all of us will agree, presented the finest acting performance of 1985 for which

he so richly received the Academy Award."

Representative Hagino then asked Dr. Haing S. Ngor to rise and be recognized by the members of the House and audience. Accompanying Dr. Ngor was his niece, Sophia Ngor; and Dr. Daniel Sousa, "a local boy who has done a lot of work with the refugees. He met Dr. Ngor, actually in the refugee camps in Thailand, where he also served as a medical practitioner dispensing medical aid to the many thousands of refugees, and he is back in Hawaii practicing his trade. Because of the mutual friendship, this gentleman is responsible for Dr. Ngor to come here today."

Representative Hirono then presented Dr. Ngor with a maile/pikake lei and a red carnation lei was presented to Sophia by Representative Tam. Representative Kim presented Dr. Ngor with a certified copy of the resolution.

At 11:27 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of allowing us to meet and to extend our personal aloha to our honorees this morning."

The House of Representatives reconvened at 11:35 o'clock a.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 957 on S.B. No. 245:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 960 on S.B. No. 154, SD 2:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 963 on S.B. No. 1195, SD 1:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 967 on S.B. No. 1392:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 968 on S.B.

No. 1397, SD 2:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 970 on S.B. No. 36, SD 1:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 986 on S.B. No. 557:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 987 on S.B. No. 714:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 988 on S.B. No. 936:

By unanimous consent, action was deferred one day.

STANDING COMMITTEE REPORTS

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1015) recommending that H.R. No. 48 be referred to the Committee on Finance.

Representative Liu rose and stated:

"Mr. Speaker, I rise to speak against H.R. No. 48 just to indicate to the Clerk that I will be voting no.

"Thank you."

On motion by Representative Tom, seconded by Representative Honda and carried, the report of the Committee was adopted and H.R. No. 48, entitled: "HOUSE RESOLUTION REQUESTING AN INCORPORATION OF THE STATE PLAN INTO THE STATE BUDGET PROCESS", was referred to the Committee on Finance, with Representative Liu voting no.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1016) recommending that H.R. No. 206 be referred to the Committee on Finance.

On motion by Representative Tom, seconded by Representative Honda

and carried, the report of the Committee was adopted and H.R. No. 206, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO UNDERTAKE A FEASIBILITY STUDY FOR THE ESTABLISHMENT OF A MAJOR PUBLIC INFORMATION AND EDUCATION PROGRAM", was referred to the Committee on Finance.

Representative Grauly, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1017) recommending that H.R. No. 270 be referred to the Committee on Finance.

On motion by Representative Grauly, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.R. No. 270, entitled: "HOUSE RESOLUTION: A REVIEW OF DEPARTMENT OF SOCIAL SERVICES AND HOUSING REIMBURSEMENT POLICIES AND RULES AFFECTING ADULT DAY CARE AND DAY HEALTH PROGRAMS", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 416) extending condolences to the family of the late Frank Der Yuen was jointly offered by Representatives Marumoto, Anderson, Apo, Blair, Cachola, Cavasso, Crozier, Hagino, Hashimoto, Hemmings, Honda, Ige, Ikeda, Isbell, Jones, Kamali'i, Kawakami, Kihano, Kim, Lardizabal, Leong, Levin, Lindsey, Liu, Medeiros, Menor, Metcalf, Morgado, Nakasato, Nakata, Okamura, Oshiro, Pfeil, Say, Shito, Shon, Souki, Tajiri, Tam, Taniguchi and Yoshimura and was read by the Clerk.

On motion by Representative Okamura, seconded by Representative Ikeda and carried, H.R. No. 416 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 414, 417 and 418) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 414) requesting the Governor of the State of Hawaii to issue a proclamation designating May 24, 1985 as "Self-Help Housing Day" and to urge the President of the United States to designate the same day as "National Self-Help Housing Day" in honor of all self-help housing families in this State and throughout the nation was offered by Representative Apo.

A resolution (H.R. No. 417) directing the Department of Transportation to promulgate appropriate rules and regulations concerning the safe recreational use of Hawaii's shore waters was jointly offered by Representatives Pfeil, Andrews, Apo, Blair, Bunda, Cachola, Cavasso, Grauly, Hagino, Hashimoto, Hemmings, Honda, Ikeda, Isbell, Jones, Kamali'i, Kihano, Kim, Lardizabal, Leong, Levin, Lindsey, Liu, Marumoto, Menor, Metcalf, Morgado, Nakasato, Nakata, Okamura, Onouye, Oshiro, Say, Shito, Shon, Souki, Tajiri, Tam, Taniguchi and Tom.

A resolution (H.R. No. 418) requesting the Legislative Reference Bureau to conduct a feasibility study and make recommendations on establishing senior citizen centers on the community college campuses was jointly offered by Representatives Kiyabu, Anderson, Crozier, Isbell, Kim, Leong, Nakata, Tajiri and Takamine.

ANNOUNCEMENT

At this time, the Chair stated:

"The Chair would like to remind all chairmen of all subject matter committees, come tomorrow to be prepared for the proper motion on all items listed on our yellow action sheet."

ADJOURNMENT

At 11:38 o'clock a.m., on motion by Representative Okamura, seconded by Representative Ikeda and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, Tuesday, April 9, 1985.

FIFTY-SECOND DAY

Tuesday, April 9, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:13 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Phil Mark of the Hawaii Kai Congregation of Makiki Christian Church, after which the Roll was called showing all members present with the exception of Representatives Blair, Cachola, Cavasso, Hagino, Hashimoto, Hirono, Isbell, Leong, Nakata, Say and Tam who were excused.

By unanimous consent, reading of the Journal was deferred.

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

Representative Tom introduced Mr. Kosolnavin Surasee, an attorney and professor of law in Thailand, who is also a public prosecutor and a lecturer in the philosophy of law in Chiangmai University and the founder of the Legal Aid in Thailand. He is a participant in the International Visitor Program sponsored by the United States Information Agency. He was accompanied by his interpreter, Mr. Jackirt Srivali.

Representative Menor introduced twenty-seven second grade students from Mililani Uka Elementary School accompanied by their teacher, Mrs. Uyeda and parents and First Deputy Attorney General, Corrine Watanabe, whose daughter attends this particular school.

Representative Jones introduced his first cousin, Ms. Aileen Shibuya from the Mililani area.

Representative Kiyabu introduced 13 girls from the Booth Memorial Program accompanied by their teachers, Mrs. Chow, Mrs. Honda, Mrs. Ishida, Mrs. Sullivan, and Mrs. Ohara.

Representative Marumoto introduced Ms. Georgia Miller who is very active in the Waikiki community and an active clubwoman and businesswoman here in town.

Representative Kiyabu introduced

Mr. and Mrs. Bert Nose, "two of my good friends and constituents."

Representative Oshiro, on behalf of Representative Crozier and himself, introduced Harold Reese and Michael Evans, two students from Ilima Intermediate School from Ewa Beach who are participating in the Legislative Awareness Program.

Representative Okamura introduced several lobbyists who are workers associated with the I.L.W.U., Dole Cannery, Kapiolani Hospital and elsewhere who took time off to lobby on the Workmen's Compensation bill.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 361 to 375 and 380 to 383) and concurrent resolutions (H.C.R. Nos. 120 to 131) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
361	Committee on Water, Land Use Development and Hawaiian Affairs
362	Committee on Transportation, then to the Committee on Finance
363	Committee on Transportation, then to the Committee on Finance
364	Committee on Transportation, then to the Committee on Finance
365	Jointly to the Committees on Tourism and Higher Education and the Arts
366	Jointly to the Committees on Ocean and Marine Resources and Higher Education and the Arts
367	Committee on Planning, Energy and Environmental Protection
368	Committee on Planning, Energy and Environmental Protection, then to the Committee on Finance
369	Committee on Transportation, then to the Committee on Finance

370 Committee on Education,
then to the Committee on Finance

371 Committee on Education,
then to the Committee on Finance

372 Committee on Higher Edu-
cation and the Arts, then to the
Committee on Finance

373 Committee on Higher Edu-
cation and the Arts, then to the
Committee on Finance

374 Committee on Planning,
Energy and Environmental Pro-
tection, then to the Committee on
Finance

375 Committee on Consumer
Protection and Commerce, then to
the Committee on Legislative Man-
agement

380 Committee on Judiciary,
then to the Committee on Finance

381 Committee on Human Ser-
vices, then to the Committee on
Finance

382 Jointly to the Committees on
Planning, Energy and Environmental
Protection and Water, Land Use
Development and Hawaiian Affairs

383 Committee on Housing, then
to the Committee on Finance

H.C.R. Nos.

120 Committee on Water, Land
Use Development and Hawaiian
Affairs

121 Committee on Trans-
portation, then to the Committee on
Finance

122 Committee on Trans-
portation, then to the Committee on
Finance

123 Committee on Trans-
portation, then to the Committee on
Finance

124 Jointly to the Committees on
Tourism and Higher Education and
the Arts

125 Jointly to the Committees on
Ocean and Marine Resources and
Higher Education and the Arts

126 Committee on Planning,
Energy and Environmental Pro-
tection

127 Committee on Planning,
Energy and Environmental Pro-

tection, then to the Committee on
Finance

128 Committee on Human Ser-
vices, then to the Committee on
Finance

129 Committee on Judiciary,
then to the Committee on Finance

130 Committee on Housing, then
to the Committee on Finance

131 Committee on Health

SUSPENSION OF RULES

On motion by Representative Oka-
mura, seconded by Representative
Ikeda and carried, the rules were
suspended for the purpose of con-
sidering bills on Third Reading on
the basis of a modified consent cal-
endar.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 957 on S.B.
No. 245:

By unanimous consent, action was
deferred until Tuesday, April 16,
1985.

Stand. Com. Rep. No. 960 on S.B.
No. 154, SD2:

By unanimous consent, action was
deferred until Tuesday, April 16,
1985.

Stand. Com. Rep. No. 963 on S.B.
No. 1195, SD1:

By unanimous consent, action was
deferred until Tuesday, April 16,
1985.

Stand. Com. Rep. No. 967 on S.B.
No. 1392:

By unanimous consent, action was
deferred until Tuesday, April 16,
1985.

Stand. Com. Rep. No. 968 on S.B.
No. 1397, SD2:

By unanimous consent, action was
deferred until Tuesday, April 16,
1985.

Stand. Com. Rep. No. 970 on S.B.
No. 36, SD1:

By unanimous consent, action was
deferred until Tuesday, April 16,
1985.

Stand. Com. Rep. No. 986 on S.B. No. 557:

By unanimous consent, action was deferred until Tuesday, April 16, 1985.

Stand. Com. Rep. No. 987 on S.B. No. 714:

By unanimous consent, action was deferred until Tuesday, April 16, 1985.

Stand. Com. Rep. No. 988 on S.B. No. 936:

By unanimous consent, action was deferred until Tuesday, April 16, 1985.

STANDING COMMITTEE REPORT

Representatives Morgado and Levin, for the Committees on Education and Higher Education and the Arts, presented a joint report (Stand. Com. Rep. No. 1018) recommending that H.R. No. 240 be referred to the Committee on Finance.

On motion by Representative Morgado, seconded by Representative Levin and carried, the joint report of the Committees was adopted and H.R. No. 240, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, IN CONSULTATION WITH THE UNIVERSITY OF HAWAII, THE HAWAII STATE TEACHERS ASSOCIATION, AND THE HAWAII STATE PARENT TEACHER STUDENT ASSOCIATION, TO STUDY AND MAKE RECOMMENDATIONS ON TEACHER TRAINING AND RELATED EDUCATIONAL ISSUES", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 425) was read by the Clerk and disposed of as follows:

A resolution (H.R. No. 425) congratulating Hugh Y. Yoshida for being designated "Teacher-Coach of the Year" was jointly offered by Representatives Bunda, Cachola, Graulty, Hirono, Jones, Kihano, Kiyabu, Leong, Levin, Lindsey, Liu, Morgado, Shito and Yoshimura.

On motion by Representative Bunda, seconded by Representative Menor and carried, H.R. No. 425 was adopted.

Representative Bunda then rose and

stated:

"Mr. Speaker, Coach Yoshida has many athletic awards and honors, but I believe his greatest honor is that of being honored as a teacher.

"Coach Yoshida commands the respect of not only the football boys, but also all the students he teaches. The reason is because he respects and cares for our young people in Hawaii and is committed toward their development.

"This is the main reason why the John A. Burns Foundation selected our honoree to be its first recipient of the John A. Burns Public High School Teacher-Coach of-the-Year Award. One of the areas the foundation is very committed to is in the education of our young people. It is within this area that the foundation has chosen to recognize athletics as being a vital, human endeavor directed toward the development and growth of our youngsters.

"I can think of no other person more deserving of this award than him. The award given to Coach Yoshida provides for \$2,500.00 which he may use for the benefit of students under such criteria or methods he determines to be fair and equitable.

"Mr. Speaker and this Honorable Body, on behalf of Representative Menor and myself, it is my honor to present Coach Hugh Yoshida."

At this time Coach Yoshida was asked to rise and be recognized.

Representative Bunda continued:

"With him, Mr. Speaker, is Mrs. Yoshida, Pattie," who was also asked to stand and be recognized.

Orchid leis were presented to Coach Yoshida by Representative Kim; to Mrs. Yoshida by Representative Menor and Representative Morgado presented the honoree with a certified copy of the resolution.

Representative Morgado then rose and stated:

"Mr. Speaker, in the interest of time I would also like to say a few words about Coach Yoshida.

"As a former athlete, I have appreciated the qualities of coaches who have taken the time not only to concern themselves with the activities on the field, but show special interest

of the athletes in activities off the field as well. It is very important that a coach, like Coach Yoshida, takes the time out to direct an athlete, who is put on the pedestal every day of our lives in this society and who is respected for his abilities on the field, to assure the child -- and they are children on the high school level -- that although athletics is a very important part of this society, it is not top priority -- that he needs to balance the qualities that he has learned on the field with social living.

"I think Coach Yoshida's ability to attend himself to the interest of the athlete after athletics is over is probably the greatest quality that a teacher can have, and Representative Bunda has said it very articulately.

"I, as a former athlete, would like to thank Coach Yoshida for his participation as a quality coach; but I as a future parent, would like to thank him even more.

"Thank you very much."

Representative Menor then rose and stated:

"Mr. Speaker, I just would like to say a few brief words in support of this resolution.

"I feel that I would be remiss if I didn't say a few words given the fact that in addition to being the coach at Leilehua High School, Mr. Yoshida and Pattie are also fellow residents of mine in Mililani. And besides having developed impeccable credentials as a coach at Leilehua High School, I can attest to the fact that both he and Pattie have also been outstanding community leaders in our particular area. In that regard I think that both Mr. Yoshida and Pattie are most deserving of the recognition that they are receiving today.

"Thank you very much, Mr. Speaker."

At 11:30 o'clock a.m., the Chair declared a recess, subject to the call of the Chair "for the purposes of allowing us this opportunity of sharing a few minutes with our Coach here, and to extend to him and his beautiful wife our personal congratulations and aloha."

Upon reconvening at 12:02 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Blair, Cachola, Cavasso, Hagino, Isbell, Leong, Nakata, Say and Tam.

At this time, Representative Pfeil, on a late introduction, introduced the Honorable Mayor Tavares who is visiting here from Maui to address the neighbor island caucus.

By unanimous consent, the following resolutions (H.R. Nos. 419 to 424 and 426 to 447) and concurrent resolutions (H.C.R. Nos. 140 to 154) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 419) requesting the Department of Social Services and Housing to prepare and submit a report on methods used to protect persons wrongfully accused of child abuse or neglect was offered by Representative Levin.

A resolution (H.R. No. 420) requesting the Legislative Reference Bureau to study academic tenure at the University of Hawaii was jointly offered by Representatives Tam, Cavasso, Gaulty, Hemmings, Honda, Lindsey, Morgado, Nakasato, Onouye, Pfeil and Shon.

A resolution (H.R. No. 421) requesting the Corps of Engineers to conduct a study on beach erosion for the neighbor islands was offered by Representative Apo.

A resolution (H.R. No. 422) requesting the Departments of Urban and Regional Planning of the University of Hawaii, Land and Natural Resources, Hawaiian Home Lands and the Office of Hawaiian Affairs to continue its efforts in fulfilling the intent and purpose of H.R. No. 304, HD1, which requests a study on the feasibility of setting aside state lands for the practice of subsistence lifestyles was jointly offered by Representatives Apo, Say, Andrews and Levin.

A resolution (H.R. No. 423) requesting the convening of a task force to study the issue of homelessness in Hawaii and to develop short-term and long-term solutions to this most critical problem was offered by Representative Apo.

A resolution (H.R. No. 424) supporting efforts to establish privately-operated game bird hunting preserves on available lands situated close to the Waianae Mountain Range on Oahu was offered by Representative Apo.

A resolution (H.R. No. 426) urging the Postmaster General to continue postal operations at Anahola on the Island of Kauai was jointly offered by Representatives Apo, Lardizabal and

Kawakami.

A resolution (H.R. No. 427) requesting the Department of Planning and Economic Development to expedite geothermal development was jointly offered by Representatives Tajiri, Lindsey and Metcalf.

A resolution (H.R. No. 428) requesting a report identifying groups of individuals most susceptible to economic job dislocation due to industrial closing, and recommending a preliminary contingency plan for replacement jobs was jointly offered by Representatives Tungpalan, Cachola, Hashimoto, Kamali'i, Kiyabu, Lardizabal, Leong, Levin, Medeiros, Menor, Okamura, Onouye, Oshiro, Pfeil, Say, Takamine and Taniguchi.

A resolution (H.R. No. 429) informing workers of right to know rules was jointly offered by Representatives Tungpalan, Anderson, Blair, Hemmings, Kim, Lardizabal, Menor, Nakasato, Onouye, Oshiro, Souki, Takamine, Taniguchi and Yoshimura.

A resolution (H.R. No. 430) requesting the Legislative Reference Bureau to conduct a study to identify possible legislative actions that could be taken by the state to promote the expansion of foreign trade between the Asia-Pacific nations and Hawaii was jointly offered by Representatives Tam, Say, Leong, Levin and Onouye.

A resolution (H.R. No. 431) commending those individuals and organizations who work to improve community-based mental health services in Hawaii and celebrating May, 1985 as Mental Health Month in Hawaii was offered by Representative Bunda.

A resolution (H.R. No. 432) requesting the House Committee on Finance to review the foreign-trade zones in Hawaii was jointly offered by Representatives Kiyabu, Cachola, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri and Takamine.

A resolution (H.R. No. 433) relating to a study of general liability insurance for pest control operators was jointly offered by Representatives Shito, Anderson, Andrews, Kamali'i, Kawakami, Kihano, Lardizabal, Lindsey, Liu, Metcalf, Onouye and Souki.

A resolution (H.R. No. 434) requesting the designation of outrigger canoe paddling as the official state team sport was jointly offered by Representatives Cavasso, Morgado, Anderson, Apo, Cachola, Hemmings, Marumoto, Tam and Tungpalan.

A resolution (H.R. No. 435) requesting the Department of Land and Natural Resources to study the feasibility of designating Kawela Bay as a marine life conservation district was jointly offered by Representatives Apo and Leong.

A resolution (H.R. No. 436) requesting an interim review of the Legislative Auditor's recommendations regarding the Tax Department was jointly offered by Representatives Marumoto, Cavasso, Hemmings, Kawakami, Lardizabal, Leong, Liu, Okamura, Oshiro, Pfeil, Shon and Taniguchi.

A resolution (H.R. No. 437) expressing legislative support for the establishment of a permanent 150-foot public easement along the eastern shoreline of Kawela Bay and urging the City Council of the City and County of Honolulu to approve the same was offered by Representative Apo.

A resolution (H.R. No. 438) establishing a research center for building technology at the University of Hawaii School of Architecture was offered by Representative Jones.

A resolution (H.R. No. 439) requesting the Legislative Reference Bureau to study the California Emergency Act as model legislation for revising Hawaii's Civil Defense and Emergency Act was jointly offered by Representatives Marumoto, Anderson, Apo, Bunda, Cavasso, Gaulty, Hashimoto, Hemmings, Isbell, Kihano, Lindsey, Liu, Medeiros, Morgado, Nakasato, Okamura, Onouye, Oshiro, Pfeil, Say, Shon, Souki, Tajiri and Tam.

A resolution (H.R. No. 440) requesting the Department of Taxation to promulgate regulations regarding reimbursements and cost advances was jointly offered by Representatives Marumoto, Apo, Bunda, Cachola, Cavasso, Gaulty, Hashimoto, Hemmings, Jones, Kihano, Lindsey, Liu, Nakata, Onouye, Oshiro, Pfeil, Say, Shon, Souki, Tajiri, Tam and Tungpalan.

A resolution (H.R. No. 441) requesting a study on the requirements to improve the child abuse system in Hawaii was jointly offered by Representatives Marumoto, Apo, Bunda, Cachola, Gaulty, Hashimoto, Lindsey, Nakata, Onouye, Oshiro, Say, Shon, Souki, Tam, Taniguchi and Tungpalan.

A resolution (H.R. No. 442) requesting that public reports for Horizontal

Property Regimes (condominiums) issued by the Real Estate Commission be written in plain language was offered by Representative Shito.

A resolution (H.R. No. 443) requesting a study on prepaid individual capitation dental plans was offered by Representative Shito.

A resolution (H.R. No. 444) requiring the Legal Aid Society of Hawaii to cease providing legal services to organizations opposing state projects and developments which have no major impact on the economically disadvantaged was offered by Representative Tungpalan. (By request)

A resolution (H.R. No. 445) urging the United States Department of Transportation to ban smoking on commercial airline flights was jointly offered by Representatives Hemmings, Cachola, Gaulty, Isbell, Levin, Lindsey, Liu, Marumoto, Morgado, Onouye, Say, Shon, Souki, Tam and Taniguchi.

A resolution (H.R. No. 446) welcoming the province of Guangdong of the People's Republic of China as the sister-province/state of the State of Hawaii was jointly offered by Representatives Tam, Liu, Tom, Leong, Say, Levin and Onouye.

A resolution (H.R. No. 447) urging the U.S. Congress to study the nation's money system was offered by Representative Peters. (By request)

A concurrent resolution (H.C.R. No. 140) requesting the Legislative Reference Bureau to study academic tenure at the University of Hawaii was jointly offered by Representatives Tam, Cavasso, Gaulty, Hagino, Hemmings, Honda, Lindsey, Morgado, Nakasato, Onouye, Pfeil and Shon.

A concurrent resolution (H.C.R. No. 141) requesting the Department of Land and Natural Resources to codify and convert certain aquatic resources management provisions of the Hawaii Revised Statutes to Hawaii administrative rules was offered by Representative Apo.

A concurrent resolution (H.C.R. No. 142) requesting the convening of a task force to study the issue of homelessness in Hawaii and to develop short-term and long-term solutions to this most critical problem was offered by Representative Apo.

A concurrent resolution (H.C.R. No. 143) supporting efforts to establish privately-operated game bird

hunting preserves on available lands situated close to the Waianae Mountain Range on Oahu was offered by Representative Apo.

A concurrent resolution (H.C.R. No. 144) requesting the Department of Planning and Economic Development to expedite geothermal development was jointly offered by Representatives Tajiri, Metcalf and Lindsey.

A concurrent resolution (H.C.R. No. 145) requesting a report identifying groups of individuals most susceptible to economic job dislocation due to industrial closings, and recommending a preliminary contingency plan for replacement jobs was jointly offered by Representatives Tungpalan, Cachola, Hashimoto, Kamali'i, Kiyabu, Lardizabal, Leong, Levin, Medeiros, Menor, Okamura, Onouye, Oshiro, Pfeil, Say, Souki, Taniguchi and Yoshimura.

A concurrent resolution (H.C.R. No. 146) requesting the Legislative Reference Bureau to conduct a study to identify possible legislative actions that could be taken by the state to promote the expansion of foreign trade between the Asia-Pacific and Hawaii was jointly offered by Representatives Tam, Say, Leong, Levin and Onouye.

A concurrent resolution (H.C.R. No. 147) welcoming the province of Guangdong of the People's Republic of China as the sister-province/state of the State of Hawaii was jointly offered by Representatives Tam, Liu, Tom, Leong, Say, Levin and Onouye.

A concurrent resolution (H.C.R. No. 148) relating to a study of general liability insurance for pest control operators was jointly offered by Representatives Shito, Anderson, Andrews, Kamali'i, Kawakami, Kihano, Lardizabal, Lindsey, Liu, Metcalf, Onouye and Souki.

A concurrent resolution (H.C.R. No. 149) expressing legislative support for the establishment of a permanent 150-foot public easement along the eastern shoreline of Kawela Bay and urging the City Council of the City and County of Honolulu to approve the same was offered by Representative Apo.

A concurrent resolution (H.C.R. No. 150) requesting a study on the requirements to improve the child care system in Hawaii was jointly offered by Representatives Marumoto, Apo, Cachola, Gaulty, Hashimoto, Hemmings, Lindsey, Nakata, Onouye,

Oshiro, Pfeil, Say, Shon, Souki, Tam, Taniguchi and Tungpalan.

A concurrent resolution (H.C.R. No. 151) requesting the Department of Land and Natural Resources to study the feasibility of designating Kawela Bay as a marine life conservation district was jointly offered by Representatives Apo and Leong.

A concurrent resolution (H.C.R. No. 152) requesting that public reports for Horizontal Property Regimes (condominiums) issued by the Real Estate Commission be written in plain language was offered by Representative Shito.

A concurrent resolution (H.C.R. No. 153) requesting a study on prepaid individual capitation dental plans was offered by Representative Shito.

A concurrent resolution (H.C.R. No. 154) requesting a study of means to implement the Conservation Lands Functional Plan and the Hawaii Wildlife Act was jointly offered by Representatives Shon, Andrews, Apo, Graulty, Hagino, Hirono, Isbell, Kamali'i, Kawakami, Levin, Marumoto, Medeiros, Okamura, Pfeil, Tam and Taniguchi.

SUSPENSION OF RULES

On motion by Representative Okamura, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken on certain House bills.

RECONSIDERATION OF ACTION TAKEN

Representative Okamura moved that the House reconsider its action taken on April 3, 1985, in disagreeing to the amendments proposed by the Senate to H.B. Nos. 29, HD1; 33, HD1; 39, HD2; 108, HD2; 111, HD1; 129, HD2; 160, HD2; 171, HD1; 174, HD1; 176, HD2; 181, HD2; 184, HD2; 193, HD2; 195, HD2; 208, HD2; 209, HD1; 214, HD1; 223, HD1; 227, HD1; 230, HD1; 231, HD1; 232, HD1; 234, HD2; 235, HD2; 236, HD2; 239, HD1; 240, HD1; 263, HD1; 264, HD1; 267, HD1; 311, HD1; 333, HD1; 352, HD1; 355, HD1; 363, HD1; 382, HD1; 401, HD2; 404, HD2; 434, HD1; 460, HD1; 479, HD1; 492, HD1; 509, HD1; 522, HD1; 558, HD1; 614, HD1; 674, HD1; 697, HD1; 743, HD1; 755, HD1; 757, HD1; 759, HD1; 839, HD1; 860, HD1; 921, HD1; 995, HD2; 997, HD1; 1054, HD1; 1056, HD1; 1131, HD2; 1163, HD2; 1166, HD2; 1243, HD2; 1271, HD2; 1275, HD1; 1356;

and 1357, HD1, seconded by Representative Marumoto and carried.

Representative Okamura then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 29, HD1; 33, HD1; 39, HD2; 108, HD2; 111, HD1, SD1; 129, SD1; 160, SD1; 162; 171; 174, HD1; 76; 181; 184, HD2; 193, HD2; 195; 208, HD2; 209, HD1; 214, HD1; 223, HD1; 227, HD1; 230, HD1; 231; 232, HD1; 234, HD2; 235; 236, HD2; 239; 240, HD1; 263, HD1; 264; 267, HD1; 311, HD1; 333, HD1; 352; 355; 363, HD1; 382; 401; 404, HD2; 434, HD1; 460, HD1; 479, HD1; 492, HD1; 509; 522, HD1; 558, HD1; 614, HD1; 674, HD1; 697, HD1; 743, HD1; 755; 757; 759; 839, HD1; 860, HD1; 921, HD1; 995, HD2; 997, HD1; 1054, HD1; 1056, HD1; 1131, HD2; 1163, HD2; 1166, HD2; 1243; 1271, HD2; 1275, HD1; 1356; and 1357, HD1.

ANNOUNCEMENTS

The Chair announced that "the conferees on the part of the House and all those Senate drafts made to House bills that we disagreed to, will be appointed later on this afternoon."

Representative Tom: "Mr. Speaker, at this time I would like to request a waiver of the 48-hour notice for certain House and Senate bills for conference."

The Chair asked Representative Tom to name the bills.

Representative Tom proceeded to name those bills, stating:

"In the Senate Conference Room 4 tomorrow morning at 9:00, they will be conferencing on the following House and Senate Bills: H.B. Nos. 28, HD1, SD1; 1162, HD1, SD1; S.B. No. 253, SD1, HD1; and S.B. 1408, SD1, HD2.

"At 1:00 o'clock tomorrow in Senate Conference Room 6, between the House Judiciary and the Senate Health--by the way, the above four bills were for the House and the Senate Judiciary--at 1:00 the Health Senate and House Judiciary Committees will be conferencing on S.B. No. 76, SD1, HD1.

"Finally, Mr. Speaker, in Senate Conference Room 4 tomorrow evening at 7:00 o'clock p.m., we will be conferencing between House and Senate Judiciary on H.B. No. 1257, SD1; H.B. No. 1386, SD1; S.B. 1404, HD1; and between the House Judiciary

and Correction and Rehabilitation and Senate Judiciary, S.B. No. 249, SD1, HD1."

The Chair then stated:

"Conferees on the part of the House will be notified later on today or early tomorrow morning.

"Your request is approved, Representative Tom."

Representative Pfeil: "I would like to remind the neighbor island representatives there will be a neighbor island meeting today following session in Room 435. We will have a gourmet vegetarian lunch and we will be

sampling my first watermelon of the season. Our guest will be Mayor Tavares; anyone wishing to attend is invited."

Representative Crozier on a late introduction, introduced Mr. Al Jeremiah from the City Council, his son, Keoni, and his guest, Guy Mello.

ADJOURNMENT

At 12:17 o'clock p.m., on motion by Representative Okamura, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, Wednesday, April 10, 1985.

FIFTY-THIRD DAY

Wednesday, April 10, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:15 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Lieutenant Colonel Albert A.L. Hockaday, Chaplain of the United States Air Force, after which the Roll was called showing all members present with the exception of Representatives Marumoto and Nakasato, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 541 to 589) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 541) transmitting Senate Concurrent Resolution No. 30, requesting the Board of Land and Natural Resources to proceed expeditiously with all required actions to consummate, if feasible, a land exchange between Campbell Estate lands at Kahauale'a with the adjacent State-owned lands for the purpose of facilitating the development of geothermal resources on the exchanged State lands, which was adopted by the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 542) transmitting Senate Concurrent Resolution No. 62, supporting the Law of the Sea Institute, which was adopted by the Senate on April 9, 1985, was placed on file.

By unanimous consent, further action on S.C.R. Nos. 30 and 62 was deferred.

A communication from the Senate (Sen. Com. No. 543) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 28, HD 1 (SD 1), and the request for a conference on the subject matter of said amendments, Senators Chang, Chairman; Cayetano and A. Kobayashi have been ap-

pointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed Representatives Tom, Chairman; Hirono, Metcalf, Taniguchi and Liu as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 544) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 104, HD 2 (SD 1), and the request for a conference on the subject matter of said amendments, Senators Chang, Chairman; Abercrombie and A. Kobayashi have been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed Representatives Tom/Souki, Co-Chairmen; Lardizabal, Menor, Metcalf, Nakata, Tajiri, Tungpalan, Jones and Kamali'i as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 545) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 329, HD 1 (SD 2), and the request for a conference on the subject matter of said amendments, Senators Chang, Chairman; Cayetano and George have been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed Representatives Tom, Chairman; Blair, Hashimoto, Hirono, Metcalf and Liu as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 546) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1162, HD 1 (SD 1), and the request for a conference on the subject matter of said amendments, Senators Chang, Chairman; Toguchi and George have been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed Representatives Tom, Chairman; Hashimoto, Menor, Metcalf and Liu as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 547) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1257 (SD 1), and the request for a conference on the subject matter of said amendments, Senators Chang, Chairman; Young and George have been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed Representatives Tom, Chairman; Apo, Hashimoto, Metcalf and Liu as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 548) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1386 (SD 1), and the request for a conference on the subject matter of said amendments, Senators Chang, Chairman; Aki and A. Kobayashi have been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed Representatives Tom, Chairman; Menor, Metcalf, Taniguchi and Liu as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 549) informing the House that Senators Aki, Chairman; Hagino and Henderson were appointed as Managers on the part of the Senate for the consideration of the amendments proposed by the House to Senate Bill No. 86, SD 1 (HD 1), was placed on file.

In accordance therewith, the Chair appointed Representatives Andrews/Honda, Co-Chairmen; Apo, Hagino, Shon and Isbell as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 550) informing the House that Senators Matsuura, Chairman; Aki, Hee, Mizuguchi and Henderson were appointed as Managers on the part of the Senate for the consideration of the amendments proposed by the House to Senate Bill No. 153, SD 1 (HD 2), was placed on file.

In accordance therewith, the Chair appointed Representatives Andrews/Crozier, Co-Chairmen; Hagino, Kihano, Nakata, Shon, Tajiri and

Kamali'i as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 551) informing the House that Senators Yamasaki, Chairman; Cayetano, Cobb, Hagino and Soares were appointed as Managers on the part of the Senate for the consideration of the amendments proposed by the House to Senate Bill No. 1198, SD 2 (HD 1), was placed on file.

A communication from the Senate (Sen. Com. No. 552) informing the House that Senators Solomon, Chairman; Hagino, Hee, Mizuguchi and Soares were appointed as Managers on the part of the Senate for the consideration of the amendments proposed by the House to Senate Bill No. 1353, SD 1 (HD 1), was placed on file.

In accordance therewith, the Chair appointed Representatives Andrews/Honda, Co-Chairmen; Nakata, Tajiri and Kamali'i as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 553) advising the House of a change in their communication dated April 4, 1985, wherein the name of Senator Chang should be deleted and replaced by the name of Senator Kawasaki, with reference to Senate Bill No. 665, SD 1 (HD 2), was placed on file.

A communication from the Senate (Sen. Com. No. 554) advising the House of a change in their communication dated April 4, 1985, wherein the name of Senator Cobb should be deleted and replaced by the name of Senator Toguchi, with reference to Senate Bill No. 1404 (HD 1), was placed on file.

A communication from the Senate (Sen. Com. No. 555) advising the House of a change in their communication dated April 4, 1985, wherein the name of Senator Toguchi should be deleted and replaced by the name of Senator Abercrombie, with reference to Senate Bill No. 1413, SD 1 (HD 1), was placed on file.

A communication from the Senate (Sen. Com. No. 556) informing the House that the Senate has reconsidered its action taken on April 4, 1985, and that the amendments proposed by the House to Senate Bill No. 669, SD 1 (HD 1), were agreed to by the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 577) informing the

House that Senate Bill No. 662 (HD 1), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 578) informing the House that Senate Bill No. 732, SD 1 (HD 2), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 579) informing the House that Senate Bill No. 735, SD 1 (HD 1), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 580) informing the House that Senate Bill No. 775, SD 1 (HD 1), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 581) informing the House that Senate Bill No. 1130, SD 1 (HD 1), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 582) informing the House that Senate Bill No. 1138, SD 1 (HD 1), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 583) informing the House that Senate Bill No. 1175, SD 1 (HD 1), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 584) informing the House that Senate Bill No. 1196, SD 1 (HD 1), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 585) informing the House that Senate Bill No. 1223 (HD 1), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 586) informing the House that Senate Bill No. 1299, SD 1 (HD 2), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 587) informing the House that Senate Bill No. 1365, SD 1

(HD 1), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 588) informing the House that Senate Bill No. 1386, SD 1 (HD 1), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 589) informing the House that Senate Bill No. 1487, SD 2 (HD 2), has passed Final Reading in the Senate on April 9, 1985, was placed on file.

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

Representative Tajiri introduced Ms. Kathy Herscoff, a lobbyist from New York City.

Representative Cachola introduced Charles Christopher Goodin, "a good friend of mine from Foster Village and my area coordinator."

Representative Okamura introduced Mrs. Dolly Ching, "a very well respected and dear friend of all of ours and the Vice President of Bank of Hawaii for Governmental Affairs."

Representative Metcalf introduced Ray Clements, "a dear friend of mine, and she was the one that introduced me to former Senator Nadao Yoshinaga and that led to the launching of my political career."

ORDER OF THE DAY

SUSPENSION OF RULES

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 448 to 451) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 448) congratulating Miss Nadine Tanega, Miss Leeward 1985, and the court attendants in the Leeward Oahu Jaycees' Ninth Annual Miss Leeward Scholarship Pageant was jointly offered by Representatives Okamura, Cachola,

Hashimoto, Kihano, Andrews, Bunda, Cavasso, Graulty, Hemmings, Honda, Ikeda, Kim, Levin, Liu, Marumoto, Metcalf, Morgado, Onouye, Oshiro, Pfeil, Shito, Shon, Tajiri, Tam, Taniguchi, Tom and Tungpalan.

On motion by Representative Okamura, seconded by Representative Cachola and carried, H.R. No. 448 was adopted.

Representative Okamura rose and stated:

"Mr. Speaker, members of the House, friends and family members in the gallery: Today, I am pleased to have the opportunity to recognize and congratulate Miss Leeward 1985, Miss Nadine Tanega; and Miss Leeward First Runner-up, Miss Sandra Bourgett, two of the lovely and talented young ladies who participated in the Ninth Annual Miss Leeward Pageant sponsored by the Leeward Oahu Jaycees.

"First, some brief remarks about the Leeward Jaycees. First organized in 1959, they have serviced the area from Aiea to Waianae for over 25 years. The main objective of the Jaycees is to provide young men and, very recently also, women between the ages of 18 and 36, an opportunity for leadership training through participation in chairmanship of various community service projects and events. Many current leaders in our community began their training in the Jaycees and, in fact, some members seated here today know what I mean from first-hand experience. Indeed, the Jaycees, over the years, have proved to be an excellent training ground for the future leaders of our community and State.

"The Miss Leeward Pageant is one of more than fifty such projects that the Jaycees have run successfully for over nine years. The primary purpose of the Pageant is to provide an opportunity for the young women of the community to receive scholarships and awards which they can use to further their secondary education. The Pageant itself began in 1977 and has a reputation of producing some of the most charming and talented contestants in the annual Miss Hawaii Pageant.

"Mr. Speaker, I am very pleased to introduce to the members at this time, Miss Leeward 1985, Miss Nadine Tanega."

Representative Okamura then asked the following honorees to stand and

be recognized: Miss Nadine Tanega, Miss Leeward 1985; Miss Sandra Bourgett, First Runner-up; Mr. and Mrs. Jesus Tanega, parents of Nadine; Miss Kathy Ishimoto, President of the Leeward Oahu Jaycee Women; Mr. Randy Fong, Public Relations and Appearances Chairman and past President of the Leeward Oahu Jaycees; and Mr. Wesley Miyashiro, Pageant Coordinator.

Representative Cachola rose and stated:

"Mr. Speaker, indeed it is a pleasure to have with us today, Miss Nadine Tanega, the winner of the Miss Leeward 1985. To me, Mr. Speaker, Nadine adds credence to what people are saying that the Filipina is certainly one of the most beautiful woman in the world.

"Her parents, Jes and Nattie, have been dear friends of mine since my arrival from the Philippines in 1971. Jes and Nattie deserve to be commended for guiding a family of ambitious, talented and attractive individuals. Nadine is an excellent example of their diligent leadership.

"I also extend my most personal congratulations to the members of the Miss Leeward court. All of you ladies serve as good examples to other young women who, I hope, will also serve and strive for excellence just like you.

"To Nadine, my best wishes and prayers on the upcoming Miss Hawaii Pageant. I am confident that you will do very well.

"Thank you, Mr. Speaker."

A vanda lei was presented to Miss Tanega by Representative Cachola; an ilima lei was presented to Miss Bourgett by Representative Kawakami; and orchid leis were presented to Mr. Fong by Representative Hashimoto; to Mr. Miyashiro by Representative Kim; and to Miss Ishimoto by Representative Morgado. Representative Okamura presented the honorees with certified copies of the resolution.

A resolution (H.R. No. 449) congratulating the University of Hawaii "Rainbow Wahines" softball team on their inaugural season and wishing them good luck and continued success throughout the remainder of the 1985 season and in the years to come was jointly offered by Representatives Kiyabu, Crozier, Leong, Apo, Blair, Bunda, Cachola, Hashimoto, Hemmings, Honda, Ige, Isbell, Kihano,

Kim, Levin, Lindsey, Medeiros, Metcalf, Morgado, Okamura, Oshiro, Say, Shon, Souki, Tajiri, Takamine, Tam, Taniguchi, Tom and Yoshimura.

On motion by Representative Kiyabu, seconded by Representative Crozier and carried, H.R. No. 449 was adopted.

Representative Kiyabu rose and stated:

"Mr. Speaker and members of this honorable body, two years ago when we negotiated in conference for the women's softball team, one of the arguments was if the local girls, the products of our high schools, could compete nationally. And in this first year of competition, the girls have proven that. They beat the team from UCLA which was the champions of last year.

"Also, they beat a very well coached House of Representatives team under the coaching of Coach Leong, and I wish the girls well on the road, and I hope that in playing these teams on the mainland, that they will meet some pitchers exactly like our Speaker so that they can have well hit balls and score a lot of runs."

Representative Kiyabu then asked the following honorees to stand and be recognized: Alissa Arakaki, 'the Queen of the diamond at the Manoa campus'; Sandra Oda, Nani Sua, Lorraine Kalehuawehe, Johnlynn Rodrigues, Nancy Glushenko; Walter Arasato, assistant coach; and Alika Thompson, head coach.

Floral leis were presented to the honorees by Representatives Crozier, Say, Leong, Bunda, Tajiri, Morgado, Tungpalan and Kim, respectively, while certified copies of the resolution were presented to Mr. Thompson by Representative Hashimoto and to Mr. Arasato by Representative Hirono.

A resolution (H.R. No. 450) congratulating Rodney Ohtani for his outstanding efforts in the photography of "Song of the Imin" was jointly offered by Representatives Morgado and Lindsey.

On motion by Representative Morgado, seconded by Representative Lindsey and carried, H.R. No. 450 was adopted.

A resolution (H.R. No. 451) congratulating Barbara Tanabe for her outstanding efforts in the production of "Song of the Imin" was jointly

offered by Representatives Morgado and Lindsey.

On motion by Representative Morgado, seconded by Representative Lindsey and carried, H.R. No. 451 was adopted.

Representative Morgado rose and stated:

"Thank you, Mr. Speaker.

"The 'Song of the Imin' for precious moment allows us to share the hardships and life struggles of the Kanyaku Imin. We witnessed the long hours of back-breaking work of the sugar plantation worker and was made privy to the Japanese values such as 'on', feeling of gratitude and obligation; 'shikata ga nai', acceptance of things beyond one's control; self discipline, pride and hard work and a desire for education, especially for our children.

"Mr. Speaker, the 'Song of the Imin' captured in a most memorable fashion, the pain and tremendous pride of Senator Matsunaga when he assured us that every single man of the 442nd knew exactly why they were fighting and what they were dying for -- a reminder of the commitment our ancestors had to their dream for a better life.

"Mr. Speaker, it is with great pride and a sense of gratitude that I introduce Ms. Barbara Tanabe and Mr. Rodney Ohtani."

Representative Morgado then asked Ms. Tanabe and Mr. Ohtani to rise and be recognized.

Representatives Bunda and Hirono presented ilima/pikake leis to Ms. Tanabe and Mr. Ohtani, respectively, while Representatives Kawakami and Ikeda presented the honorees with certified copies of the resolution.

At 11:45 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of allowing us to greet and to meet our honorees personally and to extend our personal aloha accordingly."

Upon reconvening at 12:01 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Nakasato.

STANDING COMMITTEE REPORTS

Representative Say, for the Committee on Water, Land Use Devel-

opment and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1019) recommending that H.R. No. 212, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Tam, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.R. No. 212, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE STATE SEEK WAYS TO PROTECT THE SEA BIRDS THAT NEST OUTSIDE OF THE KILAUEA POINT WILDLIFE ADMINISTRATIVE SITE ON KAUAI", was referred to the Committee on Finance.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1020) recommending that H.C.R. No. 61, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Tam, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.C.R. No. 61, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE STATE SEEK WAYS TO PROTECT THE SEA BIRDS THAT NEST OUTSIDE OF THE KILAUEA POINT WILDLIFE ADMINISTRATIVE SITE ON KAUAI", was referred to the Committee on Finance.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1021) recommending that H.R. No. 209, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Tam, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.R. No. 209, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE TO FURNISH EMPLOYEES TO POLICE THE SHORE WATERS OF KAILUA, LANIKAI, AND WAIMANALO", was referred to the Committee on Finance.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1022) recommending that H.C.R. No. 59, as amended in HD 1, be referred to the Committee on Finance.

Representative Hemmings rose and stated:

"Real briefly, I would like to speak with reservations to this resolution and the predecessor.

"Just for the Finance Committee's purposes that this is an issue that is cropping up more and more on all shore waters of the State, and it is an issue that I think is being addressed in part by County policemen, lifeguards and so on, and I would hate to see us build an enforcement bureaucracy at the State level that eventually we might come in conflict with enforcement agencies at the County level, and therefore, I think we should proceed with caution. I speak for the resolution with reservations.

"Thank you."

On motion by Representative Tam, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.C.R. No. 59, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE TO FURNISH EMPLOYEES TO POLICE THE SHORE WATERS OF KAILUA, LANIKAI, AND WAIMANALO", was referred to the Committee on Finance.

Representative Gaulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1023) recommending that H.R. No. 285, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Leong, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.R. No. 285, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY OF ESTABLISHING ALZHEIMER DAY CARE CENTERS IN ALL THE COUNTIES", was referred to the Committee on Finance.

Representatives Say and Hashimoto, for the Committees on Water, Land Use Development and Hawaiian Affairs and Housing, presented a joint report (Stand. Com. Rep. No. 1024) recommending that H.R. No. 215, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Tam, seconded by Representative Kihano and carried, the joint report of the Committees was adopted and H.R. No. 215, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF THE USE OF A LAND READJUSTMENT SYSTEM FOR THE REDEVELOPMENT AND REVITALIZATION OF CERTAIN

OLDER COMMUNITIES", was referred to the Committee on Finance.

Representatives Say and Hashimoto, for the Committees on Water, Land Use Development and Hawaiian Affairs and Housing, presented a joint report (Stand. Com. Rep. No. 1025) recommending that H.C.R. No. 65, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Tam, seconded by Representative Kihano and carried, the joint report of the Committees was adopted and H.C.R. No. 65, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF THE USE OF A LAND READJUSTMENT SYSTEM FOR THE REDEVELOPMENT AND REVITALIZATION OF CERTAIN OLDER COMMUNITIES", was referred to the Committee on Finance.

Representatives Say and Shito, for the Committees on Water, Land Use Development and Hawaiian Affairs and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 1026) recommending that H.R. No. 232, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Tam, seconded by Representative Shito and carried, the joint report of the Committees was adopted and H.R. No. 232, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO UNDERTAKE A PROGRAM OF EDUCATIONAL AND PROMOTIONAL ACTIVITIES ON EMPLOYEE STOCK OWNERSHIP AND TO FORM AN EMPLOYEE STOCK OWNERSHIP ADVISORY COMMITTEE", was referred to the Committee on Finance.

Representatives Say and Shito, for the Committees on Water, Land Use Development and Hawaiian Affairs and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 1027) recommending that H.C.R. No. 77, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Tam, seconded by Representative Shito and carried, the joint report of the Committees was adopted and H.C.R. No. 77, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO UNDERTAKE A PROGRAM

OF EDUCATIONAL AND PROMOTIONAL ACTIVITIES ON EMPLOYEE STOCK OWNERSHIP AND TO FORM AN EMPLOYEE STOCK OWNERSHIP ADVISORY COMMITTEE", was referred to the Committee on Finance.

Representatives Say and Shito, for the Committees on Water, Land Use Development and Hawaiian Affairs and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 1028) recommending that H.R. No. 132, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Tam, seconded by Representative Shito and carried, the joint report of the Committees was adopted and H.R. No. 132, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON EXPANSION OF THE BANKING INDUSTRY", was referred to the Committee on Legislative Management.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1029) recommending that H.R. No. 136, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.R. No. 136, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF CONTINUING EDUCATION AND COMMUNITY SERVICE TO CONDUCT A FEASIBILITY STUDY OF PROVIDING COLLEGE CREDIT COURSES ON SATURDAYS AND SUNDAYS", was referred to the Committee on Finance.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1030) recommending that H.R. No. 195, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.R. No. 195, HD 1, entitled: "HOUSE RESOLUTION RELATING TO A STUDY OF THE RELATIONSHIP BETWEEN TEACHING, RESEARCH, AND THE UNDERGRADUATE PROGRAM AT THE UNIVERSITY OF HAWAII", was referred to the Committee on Finance.

Representative Levin, for the

Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1031) recommending that H.R. No. 197 be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.R. No. 197, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT ON THE FINDINGS AND RECOMMENDATIONS CONTAINED IN THE STUDY GROUP ON THE CONDITIONS OF EXCELLENCE IN AMERICAN HIGHER EDUCATION", was referred to the Committee on Finance.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1032) recommending that H.R. No. 227 be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.R. No. 227, entitled: "HOUSE RESOLUTION REQUESTING AN ACTION PLAN FOR AN ASIAN-PACIFIC LEGAL SYSTEMS PROGRAM AT THE WILLIAM S. RICHARDSON LAW SCHOOL, UNIVERSITY OF HAWAII", was referred to the Committee on Finance.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1033) recommending that H.R. No. 228 be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.R. No. 228, entitled: "HOUSE RESOLUTION REQUESTING AN ACTION PLAN FOR THE CENTER FOR ASIAN AND PACIFIC STUDIES, UNIVERSITY OF HAWAII", was referred to the Committee on Finance.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1034) recommending that H.R. No. 208 be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.R. No. 208, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY OF

HOUSING FACILITIES FOR STUDENTS AT THE UNIVERSITY OF HAWAII AT HILO", was referred to the Committee on Finance.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1035) recommending that H.R. No. 196 be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.R. No. 196, entitled: "HOUSE RESOLUTION RELATING TO A FEASIBILITY STUDY ON THE ESTABLISHMENT OF AN INFORMATION OFFICE AT THE UNIVERSITY OF HAWAII", was referred to the Committee on Finance.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1036) recommending that H.R. No. 119, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.R. No. 119, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A SEPARATE PUBLIC UNIVERSITY ENCOMPASSING THE UNIVERSITY OF HAWAII AT HILO", was referred to the Committee on Finance.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1037) recommending that H.C.R. No. 21, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.C.R. No. 21, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A SEPARATE PUBLIC UNIVERSITY ENCOMPASSING THE UNIVERSITY OF HAWAII AT HILO", was referred to the Committee on Finance.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1038) recommending that H.R. No. 222 be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.R. No. 222, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEFER PROPOSED TUITION INCREASE", was referred to the Committee on Finance.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1039) recommending that H.C.R. No. 69 be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEFER PROPOSED TUITION INCREASE", was referred to the Committee on Finance.

RECONSIDERATION OF ACTION TAKEN

Representative Shito moved that the House reconsider its action taken on April 9, 1985, in agreeing to the amendments proposed by the Senate to House Bill No. 995, HD 2 (SD 1), seconded by Representative Hirono and carried.

Representative Shito then moved that the House disagree to the amendments proposed by the Senate to House Bill No. 995, HD 2 (SD 1), and requested a conference on the subject matter of said amendments, seconded by Representative Hirono and carried.

In accordance therewith, the Chair appointed Representatives Shito, Chairman; Hashimoto, Apo, Bunda and Medeiros as Managers on the part of the House at such conference.

ANNOUNCEMENTS

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

Representative Tom, at this time, requested waiver of the 48-hour hearing notices for H.B. No. 329, HD 1, SD 2, and S.B. Nos. 461, SD 1, HD 1; 615, SD 1, HD 2; and 1358, SD 1, HD 2; and the Chair, noting that there were no objections, "so ordered."

Representative Tom then reminded all conferees on House Bill 28, HD 1, SD 1, that was being discussed this morning "that we will continue the conferencing on that bill, together with House Bill 1162, HD 1, SD 1, at the end of tomorrow's calendar. Also, to remind conferees of the Judiciary Conference Room, Senate Conference Room 6 this afternoon at 1:00 p.m., Senate Bill 76, HD 1."

Representative Blair: "The Corrections Committee and the Committee on Public Employment and Government Operations will be having a joint hearing at 1:30 this afternoon in Room 328 on a resolution followed by hearings on two resolutions by Corrections Committee only. Decision making to follow."

Representative Kihano: "Your Committee on Health will be having a hearing tomorrow morning at 8:30 in Room 314."

Representative Souki: "Your Committee on Finance will be having a hearing today at 2:00 o'clock, Room 307, on various resolutions. Decision making to follow."

At 12:10 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

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

Representative Apo: "Your Committee on Ocean and Marine Resources will be convening in Conference Committee with the Senate Economic Development to consider several Senate bills with House drafts at 1:30 tomorrow, Senate Conference Room 3."

The Chair then announced "that all Senate bills returned with House drafts will be distributed to the membership sometime today. There will also be some corrections made to conferees, those especially who voted no."

ADJOURNMENT

At 12:14 o'clock p.m., on motion by Representative Okamura, seconded by Representative Ikeda and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, Thursday, April 11, 1985.