

FIFTY-FOURTH DAY

Thursday, April 11, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:03 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Malcolm Stuart, of the Kailua Baptist Church, after which the Roll was called showing all members present.

The Clerk proceeded to read the Journals of the House of Representatives of the Forty-Seventh and Forty-Eighth 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-Seventh and Forty-Eighth Days were approved.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 94) was read by the Clerk and was disposed of as follows:

A message from the Governor (Gov. Msg. No. 94) informing the House that on April 9, 1985, he had signed House Bill No. 1360 as Act 4, entitled: "RELATING TO CORPORATIONS", was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 590 to 599) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 590) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to the following House Bills and a request for a conference on the subject matter of said amendments, the President has, on April 10, 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, as follows:

H.B. No. 1, HD1, SD1:

Senate Conferees: Senators Yamasaki, Chairman; Mizuguchi, Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares.

House Conferees: Representatives Kiyabu, Chairman; Souki, Crozier, Cachola, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Tajiri, Takamine, Anderson, Isbell and Kamali'i.

H.B. No. 40, SD1:

Senate Conferees: Senators Cobb, Chairman; Kuroda and Henderson.

House Conferees: Representatives Shito, Chairman; Andrews, Bunda, Metcalf and Medeiros.

H.B. No. 49, HD2, SD2:

Senate Conferees: Senators Yamasaki, Chairman; Abercrombie, Holt, Mizuguchi and A. Kobayashi.

House Conferees: Representatives Grauly and Souki, Co-Chairmen; Crozier, Leong, Levin, Lindsey, Takamine, Isbell and Liu.

H.B. No. 60, HD2, SD2:

Senate Conferees: Senators Yamasaki, Chairman; Hagino, Mizuguchi, B. Kobayashi and Soares.

House Conferees: Representatives Kiyabu and Honda, Co-Chairmen; Crozier, Kim, Leong and Kamali'i.

H.B. No. 89, HD1, SD2:

Senate Conferees: Senators Yamasaki, Chairman; Cayetano, Hee, B. Kobayashi and Soares.

House Conferees: Representatives Taniguchi and Tom, Co-Chairmen; Metcalf, Oshiro and Liu.

H.B. No. 99, HD1, SD2:

Senate Conferees: Senators Yamasaki, Chairman; Chang, Mizuguchi, Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares.

House Conferees: Representatives Kiyabu and Tom, Co-Chairmen;

Hashimoto, Metcalf, Taniguchi, Medeiros, Souki, Crozier, Cachola, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Tajiri, Takamine, Anderson, Isbell and Kamali'i.

H.B. No. 101, HD1, SD2:

Senate Conferees: Senators Yamasaki, Chairman; Abercrombie, Holt, Machida and A. Kobayashi.

House Conferees: Representatives Takamine and Grauly, Co-Chairmen; Bunda, Cachola, Crozier, Lardizabal, Leong, Nakata, Anderson and Jones.

H.B. No. 134, HD1, SD1:

Senate Conferees: Senators Yamasaki, Chairman; Mizuguchi, Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares.

House Conferees: Representatives Kiyabu and Yoshimura, Co-Chairmen; Souki, Crozier, Cachola, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Tajiri, Takamine, Anderson, Isbell and Kamali'i.

H.B. No. 144, HD1, SD1:

Senate Conferees: Senators Yamasaki, Chairman; Mizuguchi, Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares.

House Conferees: Representatives Kiyabu and Yoshimura, Co-Chairmen; Souki, Crozier, Cachola, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Tajiri, Takamine, Anderson, Isbell and Kamali'i.

H.B. No. 146, HD1, SD1:

Senate Conferees: Senators Yamasaki, Chairman; Mizuguchi, Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares.

House Conferees: Representatives Kiyabu and Yoshimura, Co-Chairmen; Souki, Crozier, Cachola, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Tajiri, Takamine, Anderson, Isbell and Kamali'i.

H.B. No. 147, HD1, SD1:

Senate Conferees: Senators Yamasaki, Chairman; Mizuguchi, Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares.

House Conferees: Representatives

Kiyabu and Yoshimura, Co-Chairmen; Souki, Crozier, Cachola, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Tajiri, Takamine, Anderson, Isbell and Kamali'i.

H.B. No. 153, SD1:

Senate Conferees: Senators Chang, Chairman; Young and A. Kobayashi.

House Conferees: Representatives Say, Tom and Souki, Co-Chairmen; Crozier, Honda, Kihano, Nakata, Tam, Isbell and Kamali'i.

H.B. No. 165, SD1:

Senate Conferees: Senators B. Kobayashi, Chairman; Matsuura, and A. Kobayashi.

House Conferees: Representatives Bunda, Chairman; Hashimoto, Kihano, Shito and Liu.

H.B. No. 166, HD2, SD2:

Senate Conferees: Senators Yamasaki, Chairman; B. Kobayashi and A. Kobayashi.

House Conferees: Representatives Bunda and Kihano, Co-Chairmen; Cachola, Leong, Lindsey, Shito, Cavasso and Isbell.

H.B. No. 188, SD1:

Senate Conferees: Senators Aki, Chairman; Young and Soares.

House Conferees: Representatives Apo, Chairman; Crozier, Hagino, Nakata and Kamali'i.

H.B. No. 194, HD1, SD2:

Senate Conferees: Senators Chang, Chairman; Aki, and A. Kobayashi.

House Conferees: Representatives Say and Metcalf, Co-Chairmen; Apo and Pfeil.

H.B. No. 229, HD2, SD1:

Senate Conferees: Senators Cobb, Chairman; Cayetano and A. Kobayashi.

House Conferees: Representatives Shito and Crozier, Co-Chairmen; Hashimoto, Hirono, Kiyabu, Leong, Metcalf, Oshiro, Takamine, Anderson and Medeiros.

H.B. No. 265, HD1, SD1:

Senate Conferees: Senators Chang, Chairman; Kawasaki and George.

House Conferees: Representatives
Graulty and Tom, Co-Chairmen;
Cachola, Kihano, Leong and Cavasso.

H.B. No. 266, HD1, SD1:

Senate Conferees: Senators Chang,
Chairman; Kawasaki and George.

House Conferees: Representatives
Graulty and Tom, Co-Chairmen;
Cachola, Kihano, Leong and Cavasso.

H.B. No. 268, SD1:

Senate Conferees: Senators Chang,
Chairman; Toguchi and George.

House Conferees: Representatives
Tungpalan and Tom, Co-Chairmen;
Hemmings.

H.B. No. 281, HD2, SD2:

Senate Conferees: Senators Yama-
saki, Chairman; Cayetano and
George.

House Conferees: Representatives
Kiyabu and Taniguchi, Co-Chairmen;
Crozier, Oshiro, Souki and Anderson.

H.B. No. 346, HD1, SD1:

Senate Conferees: Senators Cobb,
Chairman; Chang and Henderson.

H.B. No. 347, HD1, SD1:

Senate Conferees: Senators Cobb,
Chairman; Chang and Henderson.

House Conferees: Representatives
Shito and Souki, Co-Chairmen; Blair,
Bunda, Kim, Metcalf, Oshiro, Tajiri,
Anderson and Medeiros.

H.B. No. 353, SD1:

Senate Conferees: Senators Cobb,
Chairman; McMurdo and A. Koba-
yashi.

House Conferees: Representatives
Hashimoto and Tom, Co-Chairmen;
Bunda, Cachola, Metcalf and Jones.

H.B. No. 354, HD2, SD2:

Senate Conferees: Senators Yama-
saki, Chairman; Chang, Mizuguchi,
Salling, Hagino, Hee, Holt, B. Koba-
yashi, Machida, Matsuura, McMurdo,
Solomon, Henderson and Soares.

House Conferees: Representatives
Kiyabu and Tom, Co-Chairmen;
Souki, Crozier, Cachola, Kihano,
Kim, Lardizabal, Leong, Nakata,
Oshiro, Tajiri, Takamine, Anderson,
Isbell and Kamali'i.

H.B. 436, HD2, SD2:

Senate Conferees: Senators Yama-
saki, Chairman; Abercrombie and A.
Kobayashi.

House Conferees: Representatives
Graulty and Souki, Co-Chairmen;
Cachola, Crozier, Leong, Takamine,
Isbell and Liu.

H.B. No. 453, HD1, SD1:

Senate Conferees: Senators Caye-
tano, Chairman; B. Kobayashi and
George.

House Conferees: Representatives
Taniguchi, Chairman; Kim, Oshiro,
Yoshimura and Anderson.

H.B. No. 463, HD2, SD2:

Senate Conferees: Senators Yama-
saki, Chairman; Abercrombie, Holt,
Machida and Henderson.

H.B. No. 465, SD1:

Senate Conferees: Senators B.
Kobayashi, Chairman; Machida and
George.

House Conferees: Representatives
Tom, Chairman; Apo, Bunda, Metcalf
and Jones.

H.B. No. 488, HD1, SD1:

Senate Conferees: Senators B.
Kobayashi, Chairman; Solomon and A.
Kobayashi.

House Conferees: Representatives
Bunda, Chairman; Hashimoto, Hirono,
Lindsey, Morgado and Cavasso.

H.B. No. 502, SD1:

Senate Conferees: Senators Cobb,
Chairman; McMurdo and Henderson.

House Conferees: Representatives
Hashimoto, Chairman; Bunda, Lindsey
and Liu.

H.B. No. 519, SD1:

Senate Conferees: Senators Caye-
tano, Chairman; Cobb and Soares.

House Conferees: Representatives
Taniguchi, Chairman; Oshiro, Taka-
mine and Anderson.

H.B. No. 520, HD1, SD1:

Senate Conferees: Senators Cobb,
Chairman; McMurdo and A. Koba-
yashi.

House Conferees: Representatives Shito, Chairman; Blair, Metcalf, Taniguchi and Liu.

H.B. No. 557, SD1:

Senate Conferees: Senators Cobb, Chairman; Cayetano and A. Kobayashi.

House Conferees: Representatives Shito, Chairman; Andrews, Apo, Bunda, Hashimoto and Medeiros.

H.B. No. 761, SD1:

Senate Conferees: Senators Cobb, Chairman; B. Kobayashi and A. Kobayashi.

House Conferees: Representatives Shito, Chairman; Andrews, Hashimoto, Taniguchi and Medeiros.

H.B. No. 776, HD2, SD1:

Senate Conferees: Senators Abercrombie, Chairman; Cayetano and A. Kobayashi.

House Conferees: Representatives Gaulty, Chairman; Cachola, Hashimoto, Leong and Liu.

H.B. No. 830, HD1, SD1:

Senate Conferees: Senators Chang, Chairman; Cayetano and A. Kobayashi.

House Conferees: Representatives Taniguchi and Tom, Co-Chairmen; Metcalf, Oshiro and Medeiros.

H.B. No. 949, SD1:

Senate Conferees: Senators Matsuura, Chairman; Mizuguchi and Soares.

House Conferees: Representatives Andrews and Say, Co-Chairmen; Crozier, Tajiri and Pfeil.

H.B. No. 989, SD1:

Senate Conferees: Senators Aki, Chairman; Hagino, Holt, Matsuura and Henderson.

House Conferees: Representatives Say, Chairman; Andrews, Metcalf and Kamali'i.

H.B. No. 1059, HD1, SD2:

Senate Conferees: Senators Yamasaki, Chairman; Cobb and A. Kobayashi.

House Conferees: Representatives

Crozier, Chairman; Cachola, Kihano, Oshiro and Anderson.

H.B. No. 1231, HD2, SD1:

Senate Conferees: Senators B. Kobayashi, Chairman; Solomon and George.

House Conferees: Representatives Andrews, Bunda and Tajiri, Co-Chairmen; Hagino, Honda and Isbell.

H.B. No. 1239, HD1, SD1:

Senate Conferees: Senators Aki, Chairman; Hagino, Holt, Matsuura and Henderson.

House Conferees: Representatives Andrews and Say, Co-Chairmen; Apo, Metcalf, Nakata and Kamali'i.

H.B. No. 1246, HD1, SD2:

Senate Conferees: Senators Yamasaki, Chairman; Cobb, Matsuura, Mizuguchi and Soares.

House Conferees: Representatives Kiyabu and Andrews, Co-Chairmen; Souki, Crozier, Cachola, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Tajiri, Takamine, Anderson, Isbell and Kamali'i.

H.B. No. 1270, HD1, SD1:

Senate Conferees: Senators Cobb, Chairman; McMurdo and George.

House Conferees: Representatives Hashimoto and Shito, Co-Chairmen; Cachola and Liu.

H.B. No. 1285, HD2, SD1:

Senate Conferees: Senators Chang, Chairman; Kuroda and George.

House Conferees: Representatives Gaulty and Souki, Co-Chairmen; Hashimoto, Hirono, Kim, Levin, Tajiri, Anderson and Liu.

H.B. No. 1350, HD1, SD1:

Senate Conferees: Senators Yamasaki, Chairman; Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Mizuguchi, Solomon and Henderson.

House Conferees: Representatives Kiyabu and Nakasato, Co-Chairmen; Souki, Crozier, Cachola, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Tajiri, Takamine, Anderson, Isbell and Kamali'i.

H.B. No. 1354, HD1, SD1:

Senate Conferees: Senators Cobb, Chairman; McMurdo and Henderson.

House Conferees: Representatives Shito, Chairman; Blair, Metcalf, Taniguchi and Medeiros.

H.B. No. 1366, SD1:

Senate Conferees: Senators Cobb, Chairman; McMurdo and Henderson.

House Conferees: Representatives Shito, Chairman; Andrews, Hashimoto, Taniguchi and Medeiros.

H.B. No. 1393, HD2, SD1:

Senate Conferees: Senators Cayetano, Chairman; Hagino and Soares.

House Conferees: Representatives Taniguchi and Takamine, Co-Chairmen; Lardizabal, Oshiro and Anderson.

H.B. No. 1547, HD1, SD1:

Senate Conferees: Senators Aki, Chairman; Young and Soares.

House Conferees: Representatives Apo, Chairman; Metcalf, Shon, Tajiri and Pfeil.

A communication from the Senate (Sen. Com. No. 591) informing the House that the President has this day added Senator Cobb as an additional manager on the part of the Senate at the conference on Senate Bill No. 1264, SD1, HD1, was placed on file.

A communication from the Senate (Sen. Com. No. 592) informing the House that the Senate has reconsidered its action taken on April 4, 1985, in passing Senate Bill No. 70, SD1, HD1, on Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 593) informing the House that the President has added Senators Holt and Matsuura as members on the part of the Senate at the conference on Senate Bill No. 149, SD1, HD1, was placed on file.

A communication from the Senate (Sen. Com. No. 594) returning House Bill No. 96, entitled: "A BILL FOR AN ACT ESTABLISHING AN ADVISORY COMMITTEE TO STUDY OVERLAPPING STATE AND COUNTY FUNCTIONS", which passed Third Reading in the Senate on April 10, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 595) returning House

Bill No. 110, HD1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS", which passed Third Reading in the Senate on April 10, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 596) returning House Bill No. 155, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", which passed Third Reading in the Senate on April 10, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 597) returning House Bill No. 157, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", which passed Third Reading in the Senate on April 10, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 598) returning House Bill No. 159, HD1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE", which passed Third Reading in the Senate on April 10, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 599) returning House Bill No. 211, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION", which passed Third Reading in the Senate on April 10, 1985, was placed on file.

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

Representative Tungpalan, on behalf of Representatives Hashimoto and Morgado, introduced forty-eight students from Palisades Elementary School who were accompanied by their teachers, Mr. Ed Katayama, and Mrs. Grace Fujimoto; parents, Mrs. Diana Sato, Mrs. Charlene Yoshida; and librarian, Mrs. Lorna Sakado.

Representative Tungpalan also indicated that the students from the Palisades Elementary School had brought a lei to be presented to Astronaut Onizuka and a note saying "he made their prayers come true by visiting them, and they are the happiest kids in the world."

Representative Crozier, on behalf of Representative Oshiro and himself, introduced forty students from the Hale O Ulu Alternative School in the Ewa area accompanied by their principal, Ann Kawahara, and other

chaperones.

Representative Kim, on behalf of Representative Graulty and herself, introduced sixty-six eighth grade students from Moanalua Intermediate School who are here to see the legislative process in action. They were accompanied by their teacher, Mrs. Laurie Nesser, and chaperones, Mrs. Burnett, Mrs. Garcia, Mrs. Santiago and Mrs. Cox.

Representative Nakata introduced twenty boys and girls from Kaaawa Elementary School, gifted and talented class, who were accompanied by their teacher, Mrs. Jean Tsuda.

Representative Marumoto introduced several of her "calabash cousins", who were present to honor "a real American hero and a local boy made good." They were Evelyn Oishi, Fay Suehiro, Ellen Konda and her sister, Elaine Rabacau, and Jenny Soon.

Representative Lardizabal on behalf of Representatives Cachola and Representatives here of Filipino ancestry, introduced Mayor and Mrs. Alipio Flores, mayor of Sarrat, Ilocos Norte, Philippines, who came here on a goodwill tour for several days, accompanied by Mrs. Remy Aldanese, president of Sarrateneos of Hawaii, and Marlene Ganzano who is a staff member of Representative Cachola's office.

Representative Okamura introduced Mr. Ed Brussard, Representative Leong's administrative aide, who played a key role in the organization and effectiveness of the House's baseball team.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 388 to 399; 404 to 414; 417 to 424; 426 to 447) and concurrent resolutions (H.C.R. Nos. 132 to 154 and S.C.R. Nos. 30, 36 and 62) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
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388	Committee on Health, then to the Committee on Finance
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389	Jointly to the Committees on Public Employment and Government Operations and Judiciary, then to the Committee on Finance
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390	Committee on Public Employment and Government Operations,
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then to the Committee on Finance

391	Committee on Human Services, then to the Committee on Finance
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392	Committee on Judiciary
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393	Committee on Human Services, then to the Committee on Finance
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394	Committee on Corrections and Rehabilitation, then to the Committee on Finance
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395	Committee on Judiciary, then to the Committee on Finance
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396	Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs and Public Employment and Government Operations, then to the Committee on Finance
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397	Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs and Public Employment and Government Operations, then to the Committee on Finance
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398	Committee on Judiciary, then to the Committee on Finance
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399	Committee on Ocean and Marine Resources, then to the Committee on Finance
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404	Committee on Consumer Protection and Commerce, then to the Committee on Finance
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405	Committee on Public Employment and Government Operations, then to the Committee on Finance
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406	Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs and Ocean and Marine Resources, then to the Committee on Finance
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407	Committee on Higher Education and the Arts, then to the Committee on Finance
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408	Jointly to the Committees on Employment Opportunities and Labor Relations and Consumer Protection and Commerce, then to the Committee on Legislative Management
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409	Committee on Housing, then to the Committee on Legislative Management
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410	Jointly to the Committees on Health and Consumer Protection and Commerce, then to the Committee on Legislative Management
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- 411 Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs and Agriculture, then to the Committee on Legislative Management
- 412 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 413 Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 414 Committee on Housing
- 417 Committee on Transportation, then to the Committee on Finance
- 418 Jointly to the Committees on Human Services and Higher Education and the Arts, then to the Committee on Finance
- 419 Committee on Human Services, then to the Committee on Finance
- 420 Committee on Higher Education and the Arts, then to the Committee on Finance
- 421 Jointly to the Committees on Ocean and Marine Resources and Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 422 Committee on Water, Land Use Development and Hawaiian Affairs
- 423 Jointly to the Committee on Housing and Human Services
- 424 Committee on Water, Land Use Development and Hawaiian Affairs
- 426 Committee on Public Employment and Government Operations
- 427 Committee on Planning, Energy and Environmental Protection, then to the Committee on Finance
- 428 Committee on Employment Opportunities and Labor Relations, then to the Committee on Finance
- 429 Committee on Employment Opportunities and Labor Relations
- 430 Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 431 Committee on Health
- 432 Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 433 Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 434 Committee on Ocean and Marine Resources, then to the Committee on Higher Education and the Arts
- 435 Committee on Ocean and Marine Resources, then to the Committee on Finance
- 436 Committee on Finance, then to the Committee on Legislative Management
- 437 Committee on Water, Land Use Development and Hawaiian Affairs
- 438 Committee on Higher Education and the Arts, then to the Committee on Finance
- 439 Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 440 Committee on Finance
- 441 Committee on Human Services, then to the Committee on Finance
- 442 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 443 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 444 Committee on Judiciary, then to the Committee on Finance
- 445 Jointly to the Committees on Health and Transportation
- 446 Jointly to the Committees on Tourism and Higher Education and the Arts
- 447 Committee on Finance
- H.C.R. Nos.
- 132 Committee on Judiciary, then to the Committee on Finance
- 133 Committee on Consumer Protection and Commerce, then to

- the Committee on Finance
- 134 Committee on Higher Education and the Arts, then to the Committee on Finance
- 135 Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs and Ocean and Marine Resources, then to the Committee on Finance
- 136 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 137 Jointly to the Committees on Employment Opportunities and Labor Relations and Consumer Protection and Commerce, then to the Committee on Finance
- 138 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 139 Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 140 Committee on Higher Education and the Arts, then to the Committee on Finance
- 141 Committee on Ocean and Marine Resources
- 142 Jointly to the Committee on Housing and Human Services
- 143 Committee on Water, Land Use Development and Hawaiian Affairs
- 144 Committee on Planning, Energy and Environmental Protection, then to the Committee on Finance
- 145 Committee on Employment Opportunities and Labor Relations, then to the Committee on Finance
- 146 Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 147 Jointly to the Committees on Tourism and Higher Education and the Arts
- 148 Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 149 Committee on Water, Land Use Development and Hawaiian Affairs

150 Committee on Human Services, then to the Committee on Finance

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

152 Committee on Consumer Protection and Commerce, then to the Committee on Finance

153 Committee on Consumer Protection and Commerce, then to the Committee on Finance

154 Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs and Planning, Energy and Environmental Protection, then to the Committee on Finance

S.C.R. Nos.

36 Committee on Higher Education and the Arts, then to the Committee on Finance

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

62 Committee on Higher Education and the Arts

COMMITTEE REASSIGNMENT

House Resolution No. 198 was re-referred to the Committee on Higher Education and the Arts, 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 out of order.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 452 and 453) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 452) honoring and paying tribute to Hawaii's first astronaut, Lt. Col. Ellison S. Onizuka was jointly offered by Representatives Isbell, Lindsey, Tajiri, Levin, Metcalf, Takamine, Anderson, Apo, Blair, Bunda, Cachola, Cavasso, Graulty, Hagino, Hashimoto, Hemmings, Hirono, Honda, Ige, Jones, Kamali'i, Kihano, Kiyabu, Leong, Liu,

Marumoto, Medeiros, Menor, Nakasato, Nakata, Okamura, Onouye, Oshiro, Pfeil, Say, Shon, Souki, Tam, Taniguchi, Tom and Yoshimura.

On motion by Representative Isbell, seconded by Representative Lindsey and carried, H.R. No. 452 was adopted.

Representative Isbell then rose and stated:

"On behalf of all fifty-one members of this House of Representatives who represent the people of Hawaii, it is a privilege for me to introduce Hawaii's own astronaut, Lt. Col. Ellison Onizuka.

"The decal on your desk is for each of you to put on as you go to greet him later on.

"Col. Onizuka was born and raised in Kona in the coffee lands, and at one time aspired to be a coffee farmer. However, through his activities in 4-H, Boy Scouts, upon which he achieved the rank of Eagle, school activities and the world events about which he read, and encouraged by those involved in those activities and in his own home, Col. Onizuka began to broaden his horizon and think great thoughts.

"When one thinks great thoughts, great things happen.

"Col. Onizuka thought about outer space and set his course on his goal of becoming an astronaut. In January of this year, Hawaii was especially proud of its local boy rising to new heights in the space shuttle and seeing his island state in true perspective. His great thought had become reality -- an astronaut flying through space.

"This modest man attributes much of his success to those who were around him in his youth and expressed his thoughts in a quotation -- 'It's easy to reach for the stars when you're standing on the shoulders of giants.'

"Mr. Speaker, I would like to ask the ladies of the House to assist me in presenting Hawaii's astronaut with leis, and Representative Tajiri to Evelyn Thames, and Representative Marumoto to Fred Fujimoto, and I will present the certificate. As you can see, Mr. Speaker, the certificate has been especially framed and matted with all of our signatures ready for placement on his office wall so that in the years to come, he can reflect on

this moment at this time of his life when he received the admiration and gratitude of his people -- Hawaii -- in being an example of greatness to us all.

"However, before asking Astronaut Onizuka and others to rise and be recognized, I would like to ask your permission to have Representative Lindsey, who also represents Kona, to say a few words."

At this time, Representative Lindsey rose and stated:

"It is a great honor indeed to have Lt. Col. Ellison Onizuka in our midst.

"I, too, would wish to applaud his remarkable accomplishments in space travel and his contributions to space research.

"On behalf of the members of this Honorable Body, I would like to present as a gift to Lt. Col. Onizuka, this koa o'o, which is a genuine reproduction of an Hawaiian planting stick, a sacred symbol of meaningful labor, prosperity and peace.

"The inscription on the plaque reads: 'Presented to Lt. Col. Ellison Onizuka, in Honor of being Hawaii's First Astronaut in Space. From the 1985 House Members of the Thirteenth Legislature.'

"I would like to thank you, Col. Onizuka for bringing pride and honor to our island State. May both you and your family enjoy further success and continued happiness, and if I may, I would like to borrow a phrase from the movie, The Return of the Jedi, where Obiwan Kenobi turns to Luke Skywalker, the emerging Jedi knight and in ushering him into successful future, says, 'May the Force be with you.' May your missions be for peace on earth and well as in the heavens and 'may the Force be with you' also, Col. Onizuka."

Representative Lindsey then introduced the honoree, Lt. Col. Onizuka who was asked to stand and be recognized. Accompanying Lt. Col. Onizuka were Mr. Fred Fujimoto, Hawaii coordinator from Kona and Ms. Evelyn Thames from N.A.S.A. who were also asked to stand and be recognized.

Floral leis were presented to Lt. Col. Onizuka by Representatives Ikeda, Hashimoto, Hirono, Kamali'i, Kim, Marumoto and Tungpalan; to Ms. Thames by Representative Tajiri; to Mr. Fujimoto by Representative Marumoto; the koa o'o, by Representative

Lindsey and the matted and framed certificate of the resolution was presented by Representative Isbell to the honoree.

At this time, the Chair asked the following Representatives to escort Col. Onizuka to the rostrum "in order to share a few observations with us." They were as follows: Representatives Levin, Takamine, Isbell, Lindsey, Tajiri and Metcalf.

The Chair then stated:

"Members of the House, people of Hawaii, please join me in welcoming Col. Onizuka."

The remarks of Col. Onizuka are as follows:

"Mr. Speaker, Members of the House, the people of Hawaii: It's indeed a pleasure for me to be back home here in the State of Hawaii representing the National Aeronautics and Space Administration, and more importantly, to be back home amongst the people who helped me get to where I am today.

"I would like to take this opportunity to thank the members of the House of Representatives and the people of Hawaii for all of your help in helping me to achieve this goal which I set while I was still in elementary school at Honokohau.

"I think the important message today is that I stand here today representing the opportunity available to the youth of America. It's an opportunity available to the children in all of the schools throughout the state, and I hope that it will serve as an inspiration for some of you to, one day, fly on the space shuttle and maybe work in the space station or go on to an interplanetary venture to Mars and join the United States Space Program, one day, in mining the precious metals from the moon.

"It's been a great opportunity for me but it's only a beginning, and I certainly hope that all of you will give it a try. I highly recommend it. My mission was a flight of a lifetime. I look forward to my next mission; however, I always look back at what the first one was really like. It did take us many years to get there; however, the wait was worth waiting for, all of the work was definitely worthwhile.

"It was the prayers and best wishes from all of you back here that helped to make those long years go by very

fast, and I am here today to thank all of you for helping make that possible. The support we received from the Hawaii State Legislature was very important to us and I thank all of you for it.

"As I said before, it's easy to go fly when you've got people, like the people of Hawaii back home, supporting you. I thank all of you, it's been a great experience for me and I hope to go do it again in November.

"Before leaving today, I would like to share something that we carry aboard the space shuttle for the Hawaii State House of Representatives. Aboard the Discovery in January of this year, we carried a little Hawaiian flag and a crew patch and this is being presented today to the Hawaii State House of Representatives from the crew of Discovery on Mission 51-C and the National Aeronautics and Space Administration. We appreciate all of your support and the help that you have given us to make this possible."

At this time, the Chair stated:

"Col. Onizuka, we know that you have a very busy schedule today, but in behalf of the members of the House, I want to thank you for this memento, your hookupu, to the members of this House; we shall always remember this. Please extend our personal aloha to the rest of your crew members as well."

At 11:30 o'clock a.m., the Chair declared a recess, subject to the call of the Chair "for the purpose of allowing each and every one of us the opportunity of meeting and extending our personal aloha to Col. Onizuka and the rest of our honorees this morning.

The House of Representatives reconvened at 11:40 o'clock a.m.

A resolution (H.R. No. 453) extending best wishes and aloha to twenty private goodwill ambassadors of peace from the Soviet Union visiting Hawaii during the week of April 8, 1985 was jointly offered by Representatives Peters, Andrews, Apo, Bunda, Cachola, Hemmings, Honda, Ige, Ikeda, Kamali'i, Kawakami, Lardizabal, Levin, Liu, Marumoto, Menor, Nakata, Okamura, Onouye, Pfeil, Souki and Takamine.

On motion by Representative Ige, seconded by Representative Kawakami and carried, H.R. No. 453 was adopted.

Representative Ige then rose and stated:

"Dobro Pozhalovat V Hawaii Za Mir I dro jha boo.

"Mr. Speaker, all that means is, basically, 'welcome to Hawaii for peace and friendship.'

"Mr. Speaker, I think many times when we listen to the news and the media, sometimes it's quite distressing to see the capability of mankind to be able to annihilate each other, and I think many times for myself, I begin to feel somewhat humbled of my position in terms of the international happenings; and then I was privileged to meet the leader of this group, Mr. Krylov, and I heard him speak and it was interesting because I think his feelings are very similar to mine and many people here in Hawaii -- feelings about a better tomorrow -- not only for ourselves, but for our children as well. And I must say that I am truly honored to be able to recognize these trailblazers in some respect, who took the courage to come from a different country to visit America.

"Mr. Speaker, at this time if I may be permitted to introduce Mr. Boris Krylov, who is the leader of this group. Mr. Speaker, also we have with us Mr. Vladimir Semenov, the secretary of this group, Mr. Vladimir Zviagin, Mrs. Galina Shatalova, Mr. Sabir Gasanov, Mr. Sergei Maksimov, Mr. Batir Ovesov, Mr. Chari Nazarov, Mr. Valerionis Shrubsha, Mrs. Zigmantas Dokshas, Mr. Gunars Skriba, Mr. Alexander Giorgadze, Mr. Leonid Bakradze -- by the way, Mr. Speaker, Mr. Bajradze is a film producer of documentary films in the Soviet Union -- Mrs. Ludmila Schipahina, Mrs. Lubov Popova, Mr. Efim Muhin, Mr. Umid Kadirov, Mr. Mahmud Gekkiev and Mr. Anatoli Sokolov."

Floral leis and a certified copies of the resolution were presented to the honorees by Representatives Kiyabu, Leong, Gaulty, Crozier, Tungpalan, Hirono, Shito, Okamura, Hashimoto, Nakata, Kim, Lardizabal, Kawakami, Bunda, Cachola, Honda, Tajiri, Marumoto, Souki and Kihano.

Representative Ige then requested that the goodwill mission "share with us a song called "Katusha" sung by Mrs. Galina Shatalova and by the accordion player, Sergei Maksimov. This song is about a girl who sings about her boyfriend going off to war."

After sharing their song with the members of the House, Representative Kim rose and stated:

"Mr. Speaker, I would just like to commend our Vice-Speaker for doing such a great job with his Russian."

The Chair responded:

"Consider that purely subjective. I'll wait for the Russians to interpret all of that or to verify it, should I say. But you did do a very good job, Mr. Vice Speaker."

At this time, the Chair appointed the following Representatives to escort the Chairman of this mission to the rostrum "to share a few observations with us this morning." They were as follows: Representatives Ige, Kawakami, Okamura, Marumoto and Ikeda.

The remarks of the Chairman, Mr. Boris Krylov, are as follows:

"Thank you very much for your hospitality.

"We come here as a mission of goodwill of the society of friendship between our countries. And we received here a very deep impression of the necessity to keep the peace; of the necessity to improve the relations; to make more deep the exchange in cultural, scientific and all other matters.

"We believe that the conversation between the leaders of our countries, that the conversation that are now in Geneva, will be successful.

"That necessity not only for us and for you but for the whole world. We must preserve the life of our children, our grandchildren for all generations which will come.

"Thank you for the hospitality in your State, in this building, in this House. Thank you, thank you, Mr. Chairman."

The Chair then stated:

"Mr. Krylov, to you and the members of your delegation, on behalf of the members of this House, we thank you for joining us today; we thank you more especially for the nature of your mission -- mission of peace and goodwill to all the people of this world."

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

allowing us to share our aloha with our honorees this morning."

The House of Representatives reconvened at 12:05 o'clock p.m.

At this time, Representative Isbell, on a late introduction, introduced three people from Kona, Ms. Mary Klever, Ms. Bev Paine, and Representative Isbell's daughter, Iwalani, who were seated in the gallery.

STANDING COMMITTEE REPORTS

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1040) recommending that H.R. 38, as amended in HD1, be adopted.

On motion by Representative Honda, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.R. 38, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE PAPAYA ADMINISTRATIVE COMMITTEE TO PRESENT AN OVERVIEW OF THE COMMITTEE'S OPERATIONS AND RECENT ACTIVITIES, INCLUDING A STATUS REPORT ON THE ECONOMIC HEALTH OF, AND PROBLEMS FACED BY, HAWAII'S PAPAYA INDUSTRY", was adopted.

Representatives Honda and Say, for the Committees on Agriculture and Water, Land Use Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1041) recommending that H.R. No. 41, as amended in HD1, be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the joint report of the Committees was adopted and H.R. No. 41, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESENT A REVIEW AND UPDATE OF THE AGRICULTURAL PARKS PROGRAM INCLUDING AN APPRAISAL OF THE AGRICULTURAL PARKS ACTION PLANS AND THE AGRICULTURAL PARKS LAW", was adopted.

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. 1042) recommending that H.R. No. 144, be adopted.

Representative Andrews moved that the report of the Committee be adopted and H.R. 144 be adopted,

seconded by Representative Say.

Representative Liu rose to register his no vote on the resolution.

Representative Anderson rose on a point of information.

The Chair directed Representative Anderson to state his point.

Representative Anderson, stated:

"From the Chairman, I would like to ask him a question on this resolution.

The Chair asked:

"Representative Andrews, would you like to yield to a question?"

Representative Andrews replied:

"I would rather hear the question, first, Mr. Speaker."

Representative Anderson responded:

"I'm just trying to find out, by the title, does this mean ownership in the Hawaii State Plan or in government, or is that in the State Plan for business and economics -- private business?"

Representative Andrews stated:

"I would like to have a short recess; I don't understand the question."

Representative Anderson clarified himself, stating:

"The employee ownership and Hawaii State Plan -- is that employment ownership in private enterprise or are you trying to say that it's in government ownership? Is it a strictly private enterprise, sir?"

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

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

The motion was put by the Chair and carried, the joint report of the Committees was adopted and H.R. No. 144, entitled: "HOUSE RESOLUTION URGING THE STATE PLAN POLICY COUNCIL TO REVIEW AND CONSIDER THE INCLUSION OF POLICY AND PRIORITY GUIDELINE STATEMENTS ON EMPLOYEE OWNERSHIP AND PARTICIPATION IN THE HAWAII STATE PLAN", was adopted with Representative Liu registering a no vote.

Representatives Honda and Andrews, for the Committees on Agriculture and Planning, Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 1043) recommending that H.R. No. 131, as amended in HDI, 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. 131, HDI, entitled: "HOUSE RESOLUTION URGING THE ESTABLISHMENT OF A BIOLOGICAL RESEARCH INSTITUTE IN HAWAII", 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. 1044) recommending that H.C.R. No. 26, as amended in HDI, 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. 26, HDI, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A BIOLOGICAL RESEARCH INSTITUTE IN HAWAII", was adopted.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1045) recommending that H.R. No. 218 be adopted.

On motion by Representative Tungpalan, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 218, entitled: "HOUSE RESOLUTION URGING EMPLOYERS TO DEVELOP POLICIES TO RETAIN, HIRE AND PROMOTE OLDER WORKERS", was adopted.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1046) recommending that H.R. No. 207, as amended in HDI, be adopted.

On motion by Representative Tungpalan, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 207, HDI, entitled: "HOUSE RESOLUTION URGING PUBLIC AND PRIVATE EMPLOYERS TO LIST ALL JOB OPENINGS WITH THE JOB BANK OF THE STATE EMPLOYMENT OFFICE", was adopted.

Representative Bunda, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1047) recommending that H.C.R. No. 73, as amended in HDI, be adopted.

On motion by Representative Bunda, seconded by Representative Graulty and carried, the report of the Committee was adopted and H.C.R. No. 73, HDI, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO TAKE CERTAIN ACTIONS TO ASSIST SCHIZOPHRENICS", was adopted.

Representative Menor, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 1048) recommending that H.C.R. No. 16, as amended in HDI, be adopted.

On motion by Representative Menor, seconded by Representative Blair and carried, the report of the Committee was adopted and H.C.R. No. 16, HDI, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSE COMMITTEE ON CORRECTIONS REHABILITATION TO HOLD HEARINGS TO REVIEW THE CRITICISMS OF THE UNITED STATES DEPARTMENT OF JUSTICE CONCERNING THE OAHU COMMUNITY CORRECTIONAL FACILITY AND THE STATE'S RESPONSES THERETO", was adopted.

Representative Menor, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 1049) recommending that H.R. No. 104, as amended in HDI, be adopted.

On motion by Representative Menor, seconded by Representative Blair and carried, the report of the Committee was adopted and H.R. 104, HDI, entitled: "HOUSE RESOLUTION REQUESTING THE HOUSE COMMITTEE ON CORRECTIONS/REHABILITATION TO HOLD HEARINGS TO REVIEW THE CRITICISMS OF THE UNITED STATES DEPARTMENT OF JUSTICE CONCERNING THE OAHU COMMUNITY CORRECTIONAL FACILITY AND THE STATE'S RESPONSES THERETO", was adopted.

Representative Menor, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 1050) recommending that H.R. No. 187, as amended in HDI, be adopted.

On motion by Representative Jones, seconded by Representative Blair and carried, the report of the Committee

was adopted and H.R. No. 187, HD1, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT TO CHAPLAIN RICK BARTOSIK AND PROGRAM VOLUNTEERS FOR THEIR VALUABLE MINISTRY AND CHAPLAINCY PROGRAM THROUGH THE HAWAII CORRECTIONS DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING AND ENCOURAGING THE EXPANSION OF THE PROGRAM TO ALL STATE CORRECTIONAL FACILITIES", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1051) recommending that S.B. No. 1075, SD2, 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. 1075, SD2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Morgado, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1052) recommending that H.R. No. 335, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Lindsey, seconded by Representative Yoshimura and carried, the report of the Committee was adopted and H.R. No. 335, HD1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE STATEWIDE STANDARDIZED TESTING PROGRAM OF THE DEPARTMENT OF EDUCATION", 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. 1053) recommending that H.R. No. 261, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Yoshimura, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.R. No. 261, HD1, entitled: "HOUSE RESOLUTION REQUESTING AN AUDIT OF THE OPERATION AND MAINTENANCE PROGRAMS OF ALL PUBLIC BUILDINGS", 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. 1054) recommending that H.C.R. No. 88, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Yoshimura, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 88, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE OPERATION AND MAINTENANCE PROGRAMS OF ALL PUBLIC BUILDINGS", 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. 1055) recommending that H.R. No. 103, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Yoshimura, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.R. No. 103, HD1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON THE RETROFIT OF THE CENTRAL AIR CONDITIONING SYSTEMS OF STATE BUILDINGS", 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. 1056) recommending that H.R. No. 88 be referred to the Committee on Finance.

On motion by Representative Yoshimura, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.R. No. 88, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE COUNTY FINANCING STRUCTURE AND INVESTIGATING ALTERNATIVE METHODS OF FUNDING FOR THE COUNTIES", was referred to the Committee on Finance.

Representative Yoshimura and Tom, for the Committees on Public Employment and Government Operations and Judiciary, presented a joint report (Stand. Com. Rep. No. 1057) recommending that H.R. No. 185, be referred to the Committee on Finance.

On motion by Representative Yoshimura, seconded by Representative Tom and carried, the joint report of the Committees was adopted and H.R. No. 185, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO INITIATE THE ESTABLISHMENT

OF A SISTER-STATE/PROVINCE RELATIONSHIP BETWEEN THE REPUBLIC OF CHINA ON TAIWAN AND HAWAII", was referred 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 reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills.

RECONSIDERATION OF ACTION TAKEN

Representative Shito moved that the House reconsider its action taken on April 3, 1985, on disagreeing to the amendments proposed by the Senate on H.B. No. 346, HD1, and H.B. No. 761, seconded by Representative Bunda and carried.

Representative Shito then gave notice of his intent to agree to the amendments proposed by the Senate to H.B. No. 346, HD1, and H.B. No. 761.

The Chair dismissed Representatives Shito, Andrews, Hashimoto, Taniguchi and Medeiros as Managers on the part of the House for the consideration of H.B. No. 761.

Representative Andrews moved that the House reconsider its action taken on April 3, 1985, on disagreeing to the amendments proposed by the Senate on H.B. No. 949, seconded by Representative Say and carried.

Representative Andrews then gave notice of his intent to agree to the amendments proposed by the Senate to H.B. No. 949.

ANNOUNCEMENTS

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

Representative Lindsey: "I would like to request a waiver of the 48-hour notice for H.R. No. 371 which request the Superintendent of Education to conduct a study on the clerical assistance needs of public school libraries," and the Chair "so ordered."

"We will have a hearing today on this resolution in conference room 314 at 1:30 p.m.."

Representative Say: "May I make a request for the waiver of the 48-hour public hearing notice for S.C.R. No. 30?"

The Chair asked:

"You heard the House version on that already?"

Representative Say replied in the affirmative, and the Chair "so ordered."

Representative Andrews: "I would like to request waiver of the 48-hour notice for the reasons of having a conference on a certain House Bill.

The Chair asked Representative Andrews to name that bill.

Representative Andrews replied:

"H.B. No. 1231, HD2, SD1, and the Chair "so ordered."

Representative Andrews: "Your Committees on Environmental Protection and Health and Finance will be having a Conference Committee hearing this afternoon at 1:00 p.m., on H.B. No. 1231, HD2, SD1. Also, this afternoon, your Committees on Economic Development, Planning, Ecology and Environmental Protection, Ocean Marine Resources and Water, Land Use Development and Hawaiian Affairs will be having a Conference Committee hearing on two Senate Bills."

Representative Gaulty: "Your Committee on Human Services will be holding public hearings tomorrow on several resolutions at 8:30 a.m. jointly with the Public Employment and Government Operations Committee. At 9:00 a.m., with your Committee on Health, your Committee on Human Services, will also be hearing several resolutions on its own after its joint hearing with the Committee on Health."

"At this time, I would also like to request the waiver of the 48-hour notice for the purpose of hearing at tomorrow's hearing, H.C.R. No. 62, recognizing 1985 as the International Youth Year."

The Chair "so ordered."

Representative Tom: "I'd like to announce that we are going to continue conferencing on several bills tonight with the Senate Judiciary at 9:00 p.m. These matters were taken up yesterday for conferencing today, but we were not able complete the Senate Bills. May I list the three

Senate Bills that will be on tonight?"

The Chair directed Representative Tom to proceed.

"This will be in Senate Conference Room 4: S.B. No. 461, SD1, HD1; S.B. No. 615, SD1, HD2; and S.B. No. 1358, SD1, HD2. These matters were supposed to be taken up at conference this morning, but will be continued and will be taken up this evening at 9:00 p.m. Remind conferees to please be there."

Representative Bunda: "Your Committee on Consumer Protection and Commerce will be having a hearing at 1:30 today in Room 328. Decision making to follow."

Representative Gaulty: "Your Committee on Human Services, jointly with your Committee on Judiciary, will be having a conference committee meeting tonight on H.B. No. 266, HD1, SD1, relating to child support. This conference committee will take place at 7:30 p.m., in Senate Conference Room 4. Following that particular conference, your Committee on Human Services will hold a conference committee meeting with the Committee on Finance on H.B. No. 1285, HD2, SD1, relating to criminal

record clearance, and this particular meeting will also take place in Senate Conference Room 4."

Representative Ige: "The House softball team were able to sell a few caps and shirts. We did make a few dollars; with that, Mr. Speaker, we got a little something for Representative Leong this afternoon. It's in the caucus room and with your generosity, of course, you donated the cake and ice cream."

"I'd like, on your behalf, to invite the members to join us for a few minutes after Session for some cake and ice cream and also to extend our "thank you" to Representative Leong with all your support."

Representative Ikeda: "There will be a Republican caucus at 10:00 a.m., tomorrow morning."

ADJOURNMENT

At 12:23 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, Friday, April 12, 1985.

FIFTY-FIFTH DAY

Friday, April 12, 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 Vice Speaker presiding.

The Divine Blessing was invoked by Deacon Thomas Rienzi of Star of the Sea Church, after which the Roll was called showing all members present with the exception of Representatives Apo, Cachola, Cavasso, Morgado and Peters, who were excused.

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

GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 95) informing the House that on April 11, 1985, he signed the following bills into law, was read by the Clerk and placed on file:

Senate Bill No. 19 as Act 5, entitled: "RELATING TO EXPORT OF FRUITS, VEGETABLES, NUTS, AND COFFEE";

Senate Bill No. 62 as Act 6, entitled: "RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE";

Senate Bill No. 72 as Act 7, entitled: "RELATING TO DRUG ABUSE AND CONTROLLED SUBSTANCES";

Senate Bill No. 110 as Act 8, entitled: "RELATING TO HOUSING";

Senate Bill No. 191 as Act 9, entitled: "RELATING TO THE BOARD OF DENTAL EXAMINERS";

Senate Bill No. 195 as Act 10, entitled: "RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS"; and

House Bill No. 163 as Act 11, entitled: "RELATING TO HEALTH".

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 600 to

602) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 600) transmitting Senate Concurrent Resolution No. 45, SD 1, supporting the establishment of an institute for peace at the University of Hawaii, which was adopted by the Senate on April 11, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 45, SD 1, was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 601) 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. 1404 (HD 1), were agreed to by the Senate on April 11, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 602) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 995 (SD 1), and the request for a conference on the subject matter of said amendments, Senators Cobb, Chairman; Cayetano, Kawasaki, McMurdo and A. Kobayashi were appointed as Managers on the part of the Senate for the consideration of said amendments.

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

Representative Takamine introduced a group of 19 students from Kohala High School, 10 students from Honokaa High School, and 6 students from Laupahoehoe High School, "who are here as Future Farmers of America and if I can make a few comments on the program itself. Mr. Speaker, I think, particularly for those Representatives who have districts that rely on agriculture in terms of their economy, this is one program that does a tremendous job in not only developing skills, but I think a certain spirit, and their advisors who work with the students, I know personally, have spent the kind of time that is necessary to really do an effective job in accomplishing all of this." They were accompanied by their teachers and advisors, as follows: Mr. David Fortiz, Mr. Arthur Gonsalves and

Eleanor Lazio from Kohala; Mr. Wayne Yoneda, Mr. Marvin Sanemitsu and Mr. Nathan Kawashima from Honokaa; and Mr. Albert Murota from Laupahoehoe.

Representative Lindsey introduced Keola Lindsey, his nephew from Kamuela, Hawaii.

Representative Kihano introduced Mr. Paul Mezurashi, "an old friend. . . he was once with Aloha Airlines for many years and now with the UPW."

Representative Okamura introduced Mrs. Hannah Anderson, "the better half of the Representative from Kailua and Maunawili, a really, really vivacious lady; she is a 'good-fun' lady."

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolution (H.R. No. 432) and concurrent resolutions (S.C.R. Nos. 30 and 45) were disposed of as follows:

H.R. No. Re-referred to:

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

S.C.R. Nos.

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

45 Jointly to the Committees on Judiciary and Higher Education

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. 454 and 455) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 454) extending congratulations to Kainoa Machida for being a champion hoop shooter in the State and the Western Region was jointly offered by Representatives Tam and Liu.

On motion by Representative Tam, seconded by Representative Liu and carried, H.R. No. 454 was adopted.

Representative Tam rose and stated:

"This morning, I am deeply honored to introduce Kainoa Machida, a very talented young man who established quite a record of individual achievement in the hoop shoot competitions which is a 10-foot height basketball free throw competition, both here in the State of Hawaii and in the Western Region of the United States. As stated in the resolution, Kainoa has already placed first in five different competitions and the last Western Region finals has qualified him to the national finals to be held in Indiana on April 27 of this year.

"Now, Mr. Speaker, I would like to present to you and my fellow colleagues, our honored guest, Kainoa."

Representative Tam then asked Kainoa to stand and be recognized. Accompanying Kainoa was his grandmother, Mrs. Eva Machida; his grandfather, Al; their hanai child; and Mr. Clyde Preece, Hoop Shoot Director of Hawaii and Chairman of Youth Activities, Honolulu Elks Lodge 616.

Floral leis were presented to the honoree, Kainoa, by Representative Ikeda; to Mrs. Machida by Representative Say; to Mr. Machida by Representative Isbell; and to Mr. Preece by Representative Tungpalan. Representative Tam presented the honorees with certified copies of the resolution.

A resolution (H.R. No. 455) congratulating and recognizing the 1984 Miss Hawaii, Miss Debbie Nakanelua and the Miss Hawaii Scholarship Pageant was offered by Representative Anderson.

On motion by Representative Anderson, seconded by Representative Ikeda and carried, H.R. No. 455 was adopted.

Representative Anderson rose and stated:

"Mr. Speaker, rather than myself doing a little background, I thought that one of our prettier representatives, Representative Donna Kim, who is very familiar with running a pageant; she has been a model and running her own modeling agency at one time -- Donna, would you please do the introductions?"

Representative Kim rose and stated:

"Mr. Speaker, it certainly gives me great pleasure to be called upon to speak about our honoree, Miss Hawaii Debbie Nakanelua, and the Miss Hawaii Scholarship Pageant, because I have been fortunate to have served as the judge and chaperone in this Pageant as well as working with the many young women like Debbie for other contests. I have witnessed and experienced the hard work, the long hours, the tremendous amount of energy and emotion that goes into competing and winning such an honor as Miss Hawaii. Sounds almost like I am describing the ordeal of campaigning. But, however, Mr. Speaker, many people are not aware of what it takes to win such a contest. In fact, so many believe that all it takes is for one to be physically beautiful and thus are often confused when the prettiest contestant is not named the winner.

"With respect to Debbie Nakanelua, her beauty was surpassed only by her outstanding display of talent which was judged 50 percent of her overall score, her knowledge of current events and a portrayal of sincerity during the personal interview counted for an additional 20 percent, and the swimsuit and gown phases only counted for 15 percent each.

"The Miss Hawaii Scholarship Pageant does more than just select a Miss Hawaii to represent us in the Miss America Pageant. Program Directors, Tom McGarvey and Marci Mattish, provide an opportunity for many young women who aspire to fulfill their dream of one day being Miss Hawaii. They also help these women to fulfill their education by providing scholarships and have opened many doors to rewarding careers.

"I commend Debbie and all former Miss Hawaii's for serving as fine examples to our youth and bringing great honor to the people of Hawaii.

"And now, Mr. Speaker, I shall turn the honor over to Representative Anderson to introduce our honoree."

Representative Anderson then presented Miss Debbie Nakanelua to the members of the House and audience. Accompanying Debbie were Simone Andrade, Executive Secretary for the Miss Hawaii Pageant; Marci Mattish and Tom McGarvey, Co-Directors.

Floral leis were presented to Debbie by Representative Anderson; to Mrs. Andrade by Representative Hemmings; to Ms. Mattish by Representative Medeiros; and to Mr. McGarvey by Representative Kim. Certified copies of the resolution were presented to the honorees by Representative Ikeda.

At 11:31 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "to allow all of you an opportunity to share your best wishes and congratulations with our honorees this morning."

Upon reconvening at 11:39 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Cachola, Cavasso and Morgado.

STANDING COMMITTEE REPORTS

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1058) recommending that H.R. No. 247, 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. 247, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO APPROVE PERMANENT STATUS FOR THE HAWAIIAN STUDIES PROGRAM", 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. 1059) recommending that H.R. No. 331 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. 331, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO INCREASE THE GRADUATE ASSISTANT POSITIONS AT MANOA CAMPUS", 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. 1060) recommending that H.C.R. No. 116 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. 116, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO INCREASE THE GRADUATE ASSISTANT POSITIONS AT MANOA CAMPUS", 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. 1061) recommending that H.R. No. 231 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. 231, entitled: "HOUSE RESOLUTION REQUESTING THE FEASIBILITY OF ESTABLISHING A NATIVE HAWAIIAN PERFORMING ARTS GROUP TO REPRESENT NATIVE HAWAIIAN CULTURE", 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. 1062) recommending that H.C.R. No. 76 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. 76, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEASIBILITY OF ESTABLISHING A NATIVE HAWAIIAN PERFORMING ARTS GROUP TO REPRESENT NATIVE HAWAIIAN CULTURE", was referred to the Committee on Finance.

Representative Morgado, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1063) recommending that H.R. No. 338, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Morgado, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 338, HD 1, entitled: "HOUSE RESOLUTION 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 referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1064) recommending that H.R. No. 176 be referred to the Committee on Finance.

On motion by Representative Metcalf, seconded by Representative Blair and carried, the report of the Committee was adopted and H.R. No. 176, entitled: "HOUSE RESOLUTION REQUESTING THE SUBMISSION OF PLANS BY THE POLICE DEPARTMENTS OF THE SEVERAL COUNTIES TO NOTIFY PERSONS WHO MAY BE ENTITLED TO COMPENSATION OR INDEMNIFICATION UNDER THE CRIMINAL INJURIES COMPENSATION ACT", was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1065) recommending that H.R. No. 11 be referred to the Committee on Finance.

On motion by Representative Metcalf, seconded by Representative Blair and carried, the report of the Committee was adopted and H.R. No. 11, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE TWELVE MEMBER JURY REQUIREMENT IN CIVIL CASES", was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1066) recommending that H.R. No. 12 be referred to the Committee on Finance.

On motion by Representative Metcalf, seconded by Representative Blair and carried, the report of the Committee was adopted and H.R. No. 12, entitled: "HOUSE RESOLUTION REQUESTING THE JUDICIARY TO STUDY ALTERNATIVES TO EXPEDITE THE DISPOSITION OF TRAFFIC CASES", 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. 1067) recommending that H.R. No. 198, 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. 198, HD 1, entitled: "HOUSE RESOLUTION RELATING TO MOTOR VEHICLE MECHANICS CERTIFICATION TRAINING", 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. 1068) recommending that H.R. No. 245, 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. 245, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO EXPAND ITS TASK FORCE ON THE UNDERREPRESENTATION OF HAWAIIAN STUDENTS IN THE UNIVERSITY SYSTEM TO INCLUDE THE ESTABLISHMENT OF A PERMANENT LIAISON OFFICER UNDER THE VICE-PRESIDENT OF ACADEMIC AFFAIRS TO PROVIDE CONTINUAL COMMUNICATION AND SUPPORT OF THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS AND OTHER HAWAIIAN AGENCIES AND ORGANIZATIONS", was referred to the Committee on Finance.

Representative Bunda, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1069) recommending that H.R. No. 243 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.R. No. 243, entitled: "HOUSE RESOLUTION REQUESTING AN EPIDEMIOLOGICAL STUDY TO DETERMINE WHY LANAI AND MOLOKA'I HAVE EXTRAORDINARILY HIGH RATES OF BIRTH DEFECTS", 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. 1070) recommending that H.R. No. 339, 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. 339, HD 1, entitled: "HOUSE RESOLUTION 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 referred to the Committee on Finance.

Representatives Say and Honda, for

the Committees on Water, Land Use Development and Hawaiian Affairs and Agriculture, presented a joint report (Stand. Com. Rep. No. 1071) recommending that H.R. No. 266, as amended in HD 1, be adopted.

On motion by Representative Say, seconded by Representative Honda and carried, the joint report of the Committees was adopted and H.R. No. 266, HD 1, entitled: "HOUSE RESOLUTION EXPRESSING THE NEED FOR AND SUPPORT OF THE SERVICES OF THE U.S. SOIL CONSERVATION SERVICE", was adopted.

Representatives Say and Honda, for the Committees on Water, Land Use Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1072) recommending that H.C.R. No. 92, as amended in HD 1, be adopted.

On motion by Representative Say, seconded by Representative Honda and carried, the joint report of the Committees was adopted and H.C.R. No. 92, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE NEED FOR AND SUPPORT OF THE SERVICES OF THE U.S. SOIL CONSERVATION SERVICE", was adopted.

Representative Say, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1073) recommending that H.R. No. 301, as amended in HD 1, be adopted.

Representative Kamali'i then rose to speak in favor of the resolution, stating:

"Mr. Speaker, the future of Fort DeRussy has been a major concern for the last five years. Like so many of the Western States, Hawaii was caught off-guard by the formation of the Federal Property Review Board with its mission of selling designated public lands as a means of off-setting the national deficit.

"Usually, I would applaud any such effort to reduce the federal debt. However, such a proposed sale of Fort DeRussy is neither fiscally prudent nor, in my understanding of the Hawaii Admissions Act, strictly legal.

"Let me speak first to the true cost of selling Fort DeRussy.

"From discussions with Congressman Cec Heftel, the projected cost of

relocating forces and reconstructing the present facilities at DeRussy could exceed \$30-million. With an 'upset' price of \$45-million, the net profit represents about one hour's interest on the national debt.

"More important, in the critical and too-little understood 'Section 5' of the Statehood Act for Hawaii, the Congress made no distinction concerning the return of surplus federal lands, regardless of their historical status.

"In other words, the ceded lands which were received by the United States at the time of annexation and so-called fee simple lands later acquired through purchase (like Fort DeRussy) were all subject to review and return.

"By the process described in Public Law 88-233, a virtual amendment of our Admissions Act, such lands were to be returned only on the condition that they have an approved public purpose and that the State pay for whatever existing improvements were on the land.

"Thus, if there is a cost to the State for DeRussy, it would be confined to a purchase of existing structures.

"Mr. Speaker, seeking an equitable return of the trust lands of Hawaii from the federal government has been a nightmare -- regardless of who is President or which party holds the majority in Congress.

"DeRussy is only the most conspicuous and controversial of these lands. And as such, we must be particularly careful in how we resolve this very important problem.

"I will vote for this resolution, Mr. Speaker, but I hope that we may more formally approach this persistently-troubling issue of returning of all federal lands to the State of Hawaii.

"Thank you."

On motion by Representative Say, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.R. No. 301, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RETURN OR SELL, FOR NOMINAL CONSIDERATION, THE PROPERTY IN THE FORT DERUSSY AREA TO THE STATE OF HAWAII", was adopted.

Representative Say, for the Com-

mittee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1074) recommending that H.C.R. No. 103, as amended in HD 1, be adopted.

On motion by Representative Say, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 103, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RETURN OR SELL, FOR NOMINAL CONSIDERATION, THE PROPERTY IN THE FORT DERUSSY AREA TO THE STATE OF HAWAII", was adopted.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1075) recommending that H.R. No. 251, as amended in HD 1, be adopted.

On motion by Representative Say, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.R. No. 251, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING THE NOMINATION OF THE PU'UHONUA O HONAUNAU TO THE WORLD HERITAGE LIST", was adopted.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1076) recommending that S.B. No. 1132 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. 1132, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES", 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. 1077) recommending that H.R. No. 242, as amended in HD 1, 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. 242, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A DETERMINATION OF THE SOURCE OF

PESTICIDE CONTAMINATION OF MAUI WELLS", 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. 1078) recommending that H.R. No. 292 be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.R. No. 292, entitled: "HOUSE RESOLUTION REQUESTING A REPORT CONCERNING ADMINISTRATIVE RULES ON UNDERGROUND INJECTION CONTROL, TITLE II, CHAPTER 23", 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. 1079) recommending that H.R. No. 53, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.R. No. 53, HD 1, entitled: "HOUSE RESOLUTION REQUESTING INFORMATION ON CURRENT HAZARDOUS WASTE MANAGEMENT PRACTICES", 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. 1080) recommending that H.R. No. 52 be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.R. No. 52, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A FIVE-YEAR HAZARDOUS WASTE PLAN", 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. 1081) recommending that H.C.R. No. 101 be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT CONCERNING ADMINIS-

TRATIVE RULES ON UNDERGROUND INJECTION CONTROL, TITLE II, CHAPTER 23", was referred to the Committee on Finance.

Representative Menor, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 1082) recommending that H.R. No. 257, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Menor, seconded by Representative Blair and carried, the report of the Committee was adopted and H.R. No. 257, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CORRECTIONS DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO DEVELOP A CORRECTIONAL INDUSTRIES MASTER PLAN", was referred to the Committee on Finance.

Representative Menor, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 1083) recommending that H.C.R. No. 85, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Menor, seconded by Representative Blair and carried, the report of the Committee was adopted and H.C.R. No. 85, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CORRECTIONS DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO DEVELOP A CORRECTIONAL INDUSTRIES MASTER PLAN", was referred to the Committee on Finance.

THIRD READING

S.B. No. 1075, SD 2:

By unanimous consent, action was deferred one day.

At 11:50 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

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

ANNOUNCEMENTS

At this time, Representative Kihano requested waiver of the 48-hour notice for hearings on House Bill No. 165, SD 1, and House Bill 488, SD 1, and the Chair, noting that there were no objections, "so ordered."

Representative Kihano then announced that "this afternoon, at 2:00, we will be having hearings of these two bills in Room 416. This is at 2:00 p.m. this afternoon."

Representative Taniguchi requested waiver of the 48-hour notice for hearings on House Bill No. 519, SD 1; Senate Bill Nos. 854, SD 1, HD 1; 133, SD 1, HD 1; and 163, HD 1; House Bill Nos. 453, HD 1, SD 1; 1393, HD 2, SD 1; 1264, SD 1, HD 1; 89, HD 1, SD 2, and 830, HD 1, SD 1; and Senate Bill No. 1185, SD 1, HD 1, and the Chair, noting that there were no objections, "so ordered."

Representative Taniguchi then announced that "we will be having a Conference Committee on the aforesaid bills today at 3:00 p.m., Senate Conference Room 3."

Representative Takamine requested waiver of the 48-hour notice for hearing on House Bill No. 101, HD 1, SD 2, and the Chair, noting that there were no objections, "so ordered."

Representative Takamine then announced that "there will be a Conference Committee hearing this afternoon at 2:30 in Room 314 to take up the matter of House Bill No. 101, HD 1, SD 2."

At 11:56 o'clock a.m., Representative Kiyabu asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:59 o'clock a.m.

Representative Kiyabu requested waiver of the 48-hour notice for hearings on four agendas on resolutions and the Chair, noting that there were no objections, "so ordered."

Representative Kiyabu then requested waiver of the 48-hour notice for hearings on the conference bills related to Finance on various subject matters (4 agendas), one of which is the budget and the Chair, noting that there were no objections, "so ordered."

Representative Kiyabu then announced that "the Finance Committee will be holding a decision-making hearing at 2:00 p.m. on the resolutions that was previously heard in the subject matter committees, and at 7:00 p.m., we will be starting our conference meetings with the Senate

in Room 310 relating to the budget."

Representative Levin requested waiver of the 48-hour notice for hearing on a Senate Concurrent Resolution endorsing the Law of the Sea Institute and the Chair, noting that there were no objections, "so ordered."

Representative Levin then announced that "we will have a public hearing on several House Resolutions and two Senate Concurrent Resolutions this afternoon at 1:30. Decision making to follow."

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

Upon reconvening at 12:07 o'clock p.m., the Speaker assumed the rostrum.

Representative Shon: "On Monday, April 15th at 9:00 a.m., there will be a joint hearing of the Committees on Ocean and Marine Resources; Higher Education; and Water, Land Use Development, and Hawaiian Affairs, on a number of resolutions, including one dealing with the Sea Grant College Program, Ocean Science Technology Park at Keahole Point, and beach erosion on the neighbor islands."

Representative Shito: "Your Committee on Consumer Protection and Commerce will be meeting this afternoon at 1:30 in Room 328. Decision making to follow."

Representative Gaulty: "Your Committees on Human Services and Finance are holding a joint conference with the Senate this afternoon at 1:30 on House Bill 49, Senate Bill 113, House Bill 436. This conference will be held in Senate Conference Room No. 4, and I would like to request a waiver of the 48-hour notice for the purpose of being able to confer with the Senate on these bills, and the Chair, noting that there were no objections, "so ordered."

Representative Kawakami: "There will be a Majority Caucus at 10:45 Monday to review the two Senate bills up for Third Reading."

APPOINTMENT OF CONFERENCE COMMITTEE

In accordance with the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 463, HD 2 (SD 2), and the

request for a conference on the subject matter of said amendments, the Chair appointed Representatives Tungpalan/Shito/Kiyabu, Co-Chairmen; and Isbell as Managers on the part of the House at such conference.

ADJOURNMENT

At 12:10 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. on Monday, April 15, 1985.

FIFTY-SIXTH DAY

Monday, April 15, 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 Vice-Speaker presiding.

The Divine Blessing was invoked by Mrs. Colleen Metcalf of the Christian Science Church, after which the Roll was called showing all members present with the exception of Representatives Kiyabu, Morgado and Tajiri who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Forty-Ninth, Fiftieth, Fifty-First, Fifty-Second, Fifty-Third and Fifty-Fourth 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-Ninth, Fiftieth, Fifty-First, Fifty-Second, Fifty-Third and Fifty-Fourth Days were approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 603 to 614) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 603) informing the House that Senate Bill No. 669, SDI, HDI, which passed Final Reading in the Senate on April 12, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 604) returning House Bill No. 38, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", which passed Third Reading in the Senate on April 12, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 605) returning House Bill No. 113, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF DEALERS IN FARM PRODUCE", which passed Third Reading in the Senate on April 12, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 606) returning

House Bill No. 114, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES", which passed Third Reading in the Senate on April 12, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 607) returning House Bill No. 115, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE", which passed Third Reading in the Senate on April 12, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 608) returning House Bill No. 191, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE", which passed Third Reading in the Senate on April 12, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 609) returning House Bill No. 192, HDI, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES", which passed Third Reading in the Senate on April 12, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 610) returning House Bill No. 206, HDI, entitled: "A BILL FOR AN ACT RELATING TO THE FACILITATION OF PERMIT PROCESSING", which passed Third Reading in the Senate on April 12, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 611) returning House Bill No. 228, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", which passed Third Reading in the Senate on April 12, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 612) returning House Bill No. 233, HDI, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING", which passed Third Reading in the Senate on April 12, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 613) returning House Bill No. 462, entitled: "A BILL FOR AN ACT RELATING TO WARRANTIES", which passed Third Reading in the Senate on April 12, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 614) returning House Bill No. 1382, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", which passed Third

Reading in the Senate on April 12, 1985, was placed on file.

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

Representative Shon, on behalf of Representative Hagino and himself, introduced 25 seniors from Our Redeemer Lutheran School accompanied by their teacher, Mrs. Lee Barton.

Representative Oshiro introduced 24 students from Pohakea Elementary School in Ewa Beach who are part of the school's gifted and talented program and members of their student government association. They were accompanied by their instructors, Ms. Kamita and Ms. Uedoi.

Representative Oshiro also introduced two very good friends from Ewa Beach, Mr. and Mrs. Alvin Ihore, along with two visitors from San Jose.

Representative Cavasso, on behalf of Representatives Anderson and Medeiros, introduced Ms. Jenna Martin, who is representing a group called Concerned Women of America, a group dedicated to bringing back traditional values to America and to Hawaii.

Representative Kihano introduced Mr. George Ichikawa, who is president and chairman of the board of Continental Insurance Agency.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following Senate Concurrent Resolutions were disposed of as follows:

<u>S.C.R. Nos.</u>	<u>Referred to:</u>
59	Jointly to the Committees on Higher Education and the Arts and Water Land Use Development and Hawaiian Affairs
63	Jointly to the Committees on Planning, Energy and Environmental Protection and Agriculture
69	Committee on Planning, Energy and Environmental Protection
70	Committee on Health
71	Committee on Health, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

House Resolution No. 279 was re-referred to the Committee on Judiciary.

House Resolution No. 355 was re-referred to the Committee on Corrections and Rehabilitation.

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. 456 to 461) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 456) commending "Pickup for Africa" and the local efforts to support the "USA for Africa" campaign to reduce suffering in Africa was jointly offered by Representatives Okamura, Gaulty, Hashimoto, Hirono, Honda, Ikeda, Kawakami, Kim, Levin, Liu, Medeiros, Nakasato, Onouye, Taniguchi and Tungpalan.

On motion by Representative Okamura, seconded by Representative Levin and carried, H.R. No. 456 was adopted.

Representative Okamura then rose and stated:

"Mr. Speaker and Members of the House: I am very proud and privileged this morning to speak on behalf of the adopted resolution which commends Hawaii's efforts to support the "USA for Africa" campaign to raise money to reduce suffering in Africa.

"I think that all of us are familiar with this program covered in the newspapers and T.V. specials, and indeed, what it has triggered is that we really are the world and we are one and that regardless of our ethnicity, sex or whatever that when there is need, the people always come through and show their sensitivity; it has truly generated a world-wide response particularly from the United States.

"Just this weekend, the Honolulu Advertiser did a feature article on

Ken Kragen, manager of entertainer Lionel Richie, who was the initiator of this project. The momentum from the "USA for Africa" project has been so awesome that since the song "We are the World" was released in mid-March, it has generated approximately 24.5 million dollars in revenues in just four weeks. The "USA for Africa" office in Los Angeles receives approximately 1,000 letters containing contributions and additional fund raising project proposals.

"Congress passed the hunger relief bill to aid famine victims which increased dramatically from 235 million dollars to 1 billion dollars in its final form and the President has recently signed that bill.

"Finally over 8,000 radio stations around the world played "We are the World" at the same time on Good Friday, demonstrating that the "USA for Africa" project has indeed turned into a global movement.

"Here in Hawaii, our own pickup for Africa project represents one of the first joint state government and private sector efforts in the country. Within the next two weeks, over 1,200 students from throughout the state will be raising money for African famine relief and related Hawaii projects by picking up litter, sponsoring dances, and a host of other activities. This project, and the activities it has generated, is perhaps a reflection of what is most inspiring about Hawaii's aloha spirit. The cooperation between government, business, labor and our community, spearheaded by the enthusiastic and dedicated youth of Hawaii, contributes toward a world scale vision of participation and commitment.

"This morning, Mr. Speaker, we have with us first of all, Mr. Clyde Morita, who is the administrator of the State Litter Control Office, Community Work-Day Program, and the initiating government agency for "Pick up for Africa"; also with us, we have Mr. Ron Quinn, General Manager for radio station K-WAI and the person from the private sector who has been instrumental in obtaining widespread support from "USA for Africa" and other local businesses, promoting the project and encouraging other groups in the community to start their own projects as well; we are also honored to have back with us again, Miss Kelly Hu, the current Miss Teenage U.S.A., a spokesperson for all of the students participating in the "Pickup for Africa" movement; also, joining us this morning is Kelly's mother, Mrs.

Hu." All were asked to stand and be recognized.

At this time, floral leis were presented to Mr. Morita by Representative Ikeda; to Mr. Quinn by Representative Hirono; to Kelly by Representative Kawakami; and to Mrs. Hu by Representative Metcalf and certified copies of the resolution were presented to the honorees by Representative Okamura.

On behalf of Mr. Morita of the State Litter Control Program, special sweat-shirts were presented to Miss Hu by Representatives Bunda and Hirono.

A resolution (H.R. No. 457) proclaiming April 28, 1985 through May 4, 1985, "National Law Week" was jointly offered by Representatives Tom, Metcalf, Gaulty, Taniguchi, Hirono, Liu, Menor, Onouye, Hagino, Takamine, Blair, Levin, Anderson, Apo, Crozier, Hemmings, Honda, Ige, Isbell, Jones, Kamali'i, Kim, Lardizabal, Leong, Marumoto, Medeiros, Morgado, Nakata, Pfeil, Shito, Shon, Souki, Tajiri, Tungpalan and Yoshimura.

On motion by Representative Tom, seconded by Representative Metcalf and carried, H.R. No. 457 was adopted.

Representative Tom then rose and stated:

"Mr. Speaker, the 1985 Law Day theme is "Liberty and Justice for All." Just those few words represent a handful of thought to reflect on, and I thought about the meanings of liberty and justice, the words that came to mind was freedom and fairness -- freedom and fairness for all. And when you really get down to it, that's the goal of this year's Law Week theme -- freedom and fairness for all.

"In Hawaii, National Law Week between April 28th through May 4th will be extremely busy for lawyers, where law activities are being coordinated by the Young Lawyers Division of the Hawaii State Bar Association, and the goal of law week in Hawaii is to increase the public's awareness of the role of law in our society by emphasizing law-related education and efforts to deliver legal services to the community.

"Contrary to the myths that seem to be the center of topic and discussion in our communities, let me tell you now -- lawyers are not shysters, lawyers are not ambulance chasers,

lawyers don't go out for the buck; the mere presence of our astute attorneys in the Legislature is evidence of the high integrity, honesty and hard working abilities of our legal profession.

"In closing, April 28th through May 4th of this year, designated as Law Week, this week should be viewed as a recognition of the continuing effort and commitment by members of the Hawaii Legal Bar profession to provide for the liberty and justice for all each and every day of the year."

At this time, Representative Tom introduced and asked to stand and be recognized, four members who represent the Hawaii Bar Association Young Lawyers Division as follows: Mr. Chris Pablo, president of the Young Lawyers Division; Ms. Janice Kim, vice-chairman of the Law Week; Mr. Barry Kern, treasurer of the Young Lawyers; and Mr. Charles Loomis, secretary of the Young Lawyers.

Carnation leis were presented to the honorees by Representatives Hirono, Kim, Hashimoto and Metcalf and a certified copy of the resolution was presented to Mr. Pablo, who represented the Young Lawyers Division, by Representative Hagino.

A resolution (H.R. No. 458) honoring and paying tribute to Hawaii's Kenneth T. Olds was jointly offered by Representatives Cavasso, Medeiros, Anderson, Apo, Hagino, Hashimoto, Hemmings, Hirono, Honda, Ikeda, Isbell, Jones, Kamali'i, Kihano, Kim, Lardizabal, Marumoto, Menor, Metcalf, Morgado, Nakasato, Onouye, Oshiro, Say, Shito, Shon, Souki, Tajiri, Takamine, Tam and Tom.

On motion by Representative Cavasso, seconded by Representative Medeiros and carried, H.R. No. 458 was adopted.

Representative Cavasso then rose and stated:

"Mr. Speaker, Kenneth Olds is a true mountain in our community.

"I met him at the age of eleven years old on the beach one day coming down to paddle canoes. I'm the paddler and he's the coach.

"He and his wife, Margaret, are special people to us in our community and I came to know them in the capacity as coach and leader in the community and lifting up the young people, and we are looking for this

kind of leaders in our community more and it gives me true pleasure to honor them this day and in this manner.

"He told me this morning that this was the first time he's been in this capitol. Some years ago he served as a state -- well actually as a Representative before we became a state, back as a Territory,-- in the old Iolani Palace. He served our state in so many ways in his years and it gives me great pleasure now to honor him."

At this time, Mr. Olds was asked to stand and be recognized.

Representative Cavasso, continued:

"Mr. Speaker, with him also today, are his brother, Patrick Olds, his sister, Thelma Olsen, his daughter, Nalani Napoleon, his youngest daughter, Maoli, and his granddaughter, Mono. All were asked to stand and be recognized.

Seated in the gallery were the honoree's son and wife, Kenneth Olds and Haunani. Representative Cavasso mentioned that Haunani works for Representative Medeiros and Kenneth is "an old paddling brother from way back."

Representative Kamali'i then rose and stated:

"Mr. Speaker, you know one of the most memorable times of my childhood was growing up with the Olds family. And today, my children, are having that same kind of fun growing up with their children.

"Uncle Kenny has contributed much to our community and to the citizens of Hawaii. And for me to honor Uncle Kenny today, is truly an honor for me, for it was through watching those oldtimers that gave me the inspiration to achieve some of those goals because to me, Uncle Kenny, is truly a keiki o ka aina.

"Thank you."

Floral leis were presented to the honoree by Representatives Kamali'i and Tungpalan; to Mr. Patrick Olds by Representative Isbell; to Nalani Napoleon by Representative Medeiros; to Thelma Olsen by Representative Cavasso; to Mono by Representative Hemmings; and to Maoli by Representative Anderson and a certified copy of the resolution was presented to the honoree by Representative Cavasso.

In the gallery, leis were presented to the honoree's son, Kenneth, and his wife, Haunani, by Representative Cavasso's staff members, Lou and Nani Lei.

A resolution (H.R. No. 459) recognizing and congratulating Kenneth L. Halpenny for his contributions and achievements in long term health care for the elderly in Hawaii was jointly offered by Representatives Graulty and Leong.

On motion by Representative Graulty, seconded by Representative Leong and carried, H.R. No. 459 was adopted.

Representative Graulty then rose and stated:

"Mr. Speaker and Members of the House: Many in our community devote themselves to the care of our frail elderly and today we honor someone who has distinguished himself irrepressibly, devotedly and lovingly to that effort.

"Kenneth Halpenny came to our state in 1970 from Ottawa, Canada. As executive director of the Arcadia Retirement residence and subsequently as director of the Maunalani Hospital, Mr. Halpenny's service to others has been highly recognized and reflects the highest ideals of the nursing home profession not only locally, but also nationally and internationally.

"Kenneth Halpenny is a leader in his field. As the resolution stated, he is the founder and prime mover of the Hawaii Chapter of the American College of Health Care Administrators. He is the founder and was the president of the Fellowship of Health Care Administrators, converting the fellowship into the largest association of long-term care facilities in the state.

"Last year his efforts and stature resulted in bringing the annual convocation of the American College of Health Care Administrators to Hawaii.

"In a few days, Mr. Speaker, Mr. Halpenny will be traveling to the mainland to receive the 1985 Ross Laboratories Award for distinguished service to his profession before a national gathering of health care administrators.

"Mr. Halpenny's thirty-five years of service in geriatrics and health care administration have truly been exemplary and he has brought great honor and recognition to our State."

At this time, Representative Graulty introduced Mr. Halpenny who was asked to stand and be recognized. Accompanying Mr. Halpenny was his daughter, Mrs. Jill Rowen, who was also asked to stand and be recognized.

Seated in the gallery as a demonstration of their support and aloha for the honoree, Representative Graulty introduced four nursing home administrators as follows: Mr. Leland Yagi, from the Island Nursing Home; Ms. Lorraine Manayan from Hale Ho Aloha; Mr. Clifford Miller from Ann Pearl Nursing Home; and Mr. James Iwatani from Maunalani Hospital.

Floral leis were presented to Mr. Halpenny by Representative Marumoto; to Mrs. Rowen by Representative Leong and Representative Graulty presented a certified copy of the resolution to the honoree.

A resolution (H.R. No. 460) congratulating and commending the 33rd annual Cherry Blossom Queen and Court for the 33rd annual Cherry Blossom Festival Pageant was jointly offered by Representatives Say, Andrews, Tam, Morgado, Taniguchi, Yoshimura, Apo, Blair, Cachola, Crozier, Hagino, Hashimoto, Ikeda, Kamali'i, Kawakami, Lardizabal, Leong, Metcalf, Nakasato, Nakata, Onouye, Oshiro, Pfeil, Shito, Shon, Souki, Tajiri and Takamine.

On motion by Representative Say, seconded by Representative Andrews and carried, H.R. No. 460 was adopted.

Representative Say then rose and stated:

"Mr. Speaker and Members of this Honorable Body: The year of 1985 is the year of the centennial celebration of the Kanyaku Imin Centennial; for those of you who do not know what it is, it is the Government Contract Immigrants.

"It is a very historical year to celebrate and commemorate and to start off the year, is the Cherry Blossom Festival.

"Members of the House, I would like to introduce to you the 33rd Cherry Blossom Festival Queen and its Court."

At this time, the following honorees were introduced and asked to stand and be recognized: Queen and Miss Popularity, Joanne Yuriko Hirano; Princess Alva Satsuki Watanabe;

Attendants, Miss Jill Naomi Ishibashi, who works for Representative Andrews; Miss Carleen Taeko Yamagata; Miss Mari Yoshimura; and Miss Congeniality, Miss Velvet Michiko Agena.

Carnation leis were presented to Queen Hirano by Representative Lindsey; to Miss Watanabe by Representative Tam; to Miss Ishibashi by Representative Andrews; to Miss Yamagata by Representative Taniguchi; to Miss Yoshimura by Representative Okamura; to Miss Agena by Representative Yoshimura, and certified copies of the resolution was presented to the honorees by Representative Honda.

A resolution (H.R. No. 461) congratulating the Hawaii Sugar Planters' Association Experiment Station for its 90-year record of achievement and contribution was jointly offered by Representatives Takamine, Kawakami, Peters, Levin, Metcalf, Lardizabal, Honda, Tajiri, Lindsey, Shito, Kihano, Oshiro, Crozier, Okamura, Cachola, Souki, Andrews, Gaulty, Leong, Menor, Apo, Tom, Tungpalan, Shon, Morgado, Anderson, Blair, Bunda, Cavasso, Hagino, Hashimoto, Hemmings, Hirono, Ige, Ikeda, Isbell, Kamali'i, Kim, Marumoto, Nakasato, Nakata, Onouye, Say, Tam and Taniguchi.

On motion by Representative Takamine, seconded by Representative Kawakami and carried, H.R. No. 461 was adopted.

Representative Takamine then rose and stated:

"Mr. Speaker, for the past several months now, we have at times seen alarming newspaper reports that have raised questions about the future of the sugar industry. Therefore, it is perhaps especially opportune that we have a chance this morning, to reinforce broad-based support to an industry that has provided the economic means for many, many families in our state to provide for their needs.

"I know many of the members of this Body are intimately familiar with the role that sugar has played in the development of our State. It has not only contributed to fostering and allowing a special lifestyle in the islands, but has enabled families to financially provide for themselves and to accomplish their goals and objectives. One important objective -- having been to provide for the education of their children -- and I know this firsthand, Mr. Speaker, because

I am a beneficiary.

"Mr. Speaker, it need not be said that many many people are responsible and share in making it possible for the industry to have done so much. The sugar companies, industrial organizations such as the Hawaii Sugar Planters Association, the I.L.W.U., Local 142, who represent the sugar workers, and most importantly, all of the sugar workers themselves whose hard labor has allowed the industry to prosper, have played very important roles in allowing sugar to significantly contribute to our state economy.

"Mr. Speaker, it is very clear that the destiny of the sugar industry is not controlled here in the state of Hawaii; and that what occurs on the federal level, is of critical importance. Therefore, particular alarm was caused by the Reagan's Administration's attempt to undermine the economic viability of the sugar industry through its proposed Farm Act Bill.

"Occurrences in the State, such as the closing of Puna Sugar and temporary layoffs by other sugar companies, have also raised concerns. In light of these developments, there has been renewed optimism with evidence that the Reagan Administration proposed Farm Act Bill will be shelved in Congress.

"There have been other factors, some instigated by the industry itself, which has fostered and reflected a growing sense of commitment to keep sugar a viable industry in Hawaii. An important component of this effort has been the strides and progress made in sugar research.

"The research achieved by the industry has made Hawaii the most highly mechanized and technologically advanced, with yields per acre already the highest in the world.

"Mr. Speaker, ten to fifteen years ago, trash from the sugar mills was being dumped into the ocean and creating an environmental problem. Today, bagasse is burnt to generate electricity and is another source of income for the industry. The economic feasibility of using sugar to create ethanol has also been proven, and though the decision to construct the first ethanol plant on the Big Island has been put on hold for now, the technology is there.

"Further alternative uses of the sugar plant is presently being studied

by the H.S.P.A. experiment station. These advances raise the possibility that perhaps, some day, white sugar will be merely another by-product of the cane plant rather than the main product.

"These developments do not make the sugar situation any less serious; but perhaps point to a continuing need to make ourselves and others aware of the fact that sugar is far from dead.

"Mr. Speaker, many members who sit in this Chamber have personally contributed much in developing a very positive work relationship between the sugar industry and the State Legislature. You, Mr. Speaker, and many members of this Body have been responsible for strong support to the industry whether it came in the form of appropriations for research monies, or efforts such as the majority programs resolutions that call for continued federal assistance to the industry.

"The industry has also shown its strong commitment to the State through all of its investments and have been a positive force in nurturing a mutually beneficial work relationship.

"Mr. Speaker, one important part of the industry that has been at the forefront of the industry's efforts is its research arm. That arm is embodied in the work carried on by the Hawaii Sugar Planters' Association Experiment Station.

"This morning, we recognize their achievements, and extend our congratulations on their 90th anniversary. Just as important, I would like to think that we are sending a message -- a message that while a collective broad based effort is being launched to ensure continued support for sugar at the federal level, we are also reenforcing our commitment to maintain our strong support to an industry that has done so much for Hawaii and to all of the people who make it up.

"Mr. Speaker, we are fortunate this morning in having three gentlemen who have provided strong leadership in the sugar industry in Hawaii. The first is Mr. Robert Hughes, who is a recognized leader and who has spent many, many years and have contributed substantially to all of the developments that the sugar industry has made. He is currently the president of the Hawaii Sugar Planters Association.

"Mr. Speaker, we also have Mr. Don Hines, under whose capable leadership many accomplishments have been achieved in the area of sugar research. Mr. Hines is the director of the Hawaii Sugar Planters Association Experiment Station.

"The third person here probably needs no introduction. In fact, he probably knows many legislators and knows his way around this Capitol building better than I do. He has also done much in terms of contributing to the very positive work relationship that exists between the sugar industry and the State Legislature and without further ado, I would like to introduce Mr. Sam Caldwell."

At this time, all honorees were asked to stand and be recognized. Red carnations leis were presented to the honorees by Representatives Hashimoto, Hirono and Kim and certified copies of the resolution were presented to Mr. Hughes, Mr. Hines and Mr. Caldwell by Representatives Okamura, Honda and Kawakami.

At 12:05 o'clock p.m., the Chair declared a recess, subject to the call of the Chair "for the purposes of extending our aloha and best wishes and congratulations to all of our honorees here this morning."

The House of Representatives reconvened at 12:13 o'clock p.m., with the Speaker assuming the rostrum.

At this time, Representative Jones rose on a point of personal privilege.

The Chair directed Representative Jones to state his point.

Representative Jones, stated:

"Mr. Speaker, my point is that I enjoy the floor presentations that we do here on the floor. I think it's tremendous.

"But I would also like to say that I don't think that is the place for us to make a political statement attacking the Reagan Administration or any administration or any particular political body in the State. And therefore, Mr. Speaker, I would request our members of the House to please refrain from doing that; we don't have to spill blood during the presentation."

The Chair stated:

"Your point is well taken, Repre-

sentative Jones. Presentations on this floor should be by way of extending our best wishes to those that we honor, keeping in mind that your request is a double edged sword -- applies on both sides of the aisle. Members, keep that in mind."

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. 1075, SD2, on Third Reading:

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

STANDING COMMITTEE REPORTS

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. 1084) recommending that H.R. No. 271, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Tam and carried, the joint report of the Committees was adopted and H.R. No. 271, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE FIRE COUNCIL TO STUDY THE FEASIBILITY OF PURCHASING AN AERIAL TANKER TO SUPPRESS MAJOR FIRES IN THIS STATE", 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. 1085) recommending that H.R. No. 341, as amended in HD1, be referred to the Committee on Legislative Management.

On motion by Representative Say, seconded by Representative Tam and carried, the report of the Committee was adopted and H.R. No. 341, HD1, entitled: "HOUSE RESOLUTION 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 referred to the Committee on Legislative Management.

Representative Morgado, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1086) recommending that H.R. No. 371, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Lindsey, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 371, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO CONDUCT A STUDY ON THE CLERICAL ASSISTANCE NEEDS OF THE PUBLIC SCHOOL LIBRARIES", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1087) recommending that H.R. No. 383 be referred to the Committee on Finance.

On motion by Representative Hashimoto, seconded by Representative Cachola and carried, the report of the Committee was adopted and H.R. No. 383, entitled: "HOUSE RESOLUTION CONCERNING THE ESTABLISHMENT OF A RURAL HOUSING PROGRAM FOR THE STATE OF HAWAII", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1088) recommending that H.C.R. No. 130 be referred to the Committee on Finance.

On motion by Representative Hashimoto, seconded by Representative Cachola and carried, the report of the Committee was adopted and H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING THE ESTABLISHMENT OF A RURAL HOUSING PROGRAM FOR THE STATE OF HAWAII", was referred to the Committee on Finance.

THIRD READING

The following bill, which was on the calendar for Third Reading, was read throughout and the following action taken:

S.B. No. 1132:

On motion by Representative Shito, seconded by Representative Kihano and carried, S.B. No. 1132, entitled:

"A BILL FOR AN ACT RELATING TO LIQUOR LICENSES", passed Third Reading by a vote of 47 ayes to 1 no with Representative Ikeda voting no and Representatives Kiyabu, Morgado and Tajiri being excused.

The Chair directed the Clerk to note that S.B. No. 1132 had passed Third Reading at 12:18 o'clock p.m.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

S.B. No. 1075, SD2, on Third Reading:

On motion by Representative Souki, seconded by Representative Crozier and carried, S.B. No. 1075, SD2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading by a vote of 48 ayes with Representatives Kiyabu, Morgado and Tajiri being excused.

The Chair directed the Clerk to note that S.B. No. 1075 had passed Third Reading at 12:19 o'clock p.m.

At 12:19 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m.

At this time, the Chair stated:

"The Chair stands corrected. Subject matter chairmen notified to be prepared to make the proper motion on agreements on House Bills returned with Senate Drafts for tomorrow's session."

ANNOUNCEMENTS

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

Representative Okamura: "It's a

real pleasure for me to announce the birthdays of two of our members. They celebrated their birthdays yesterday and they are Representatives Hashimoto and Medeiros."

At 12:23 o'clock p.m., Representative Crozier asked for a recess, and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:25 o'clock p.m.

Representative Kawakami: "There will be an open majority caucus at 10:00 a.m. tomorrow morning on all bills on the action sheet that will pass for Final Reading -- bills that we have already agreed on."

Representative Souki: "Your Committee on Finance will continue to hold its conference committee hearing at 1:30 p.m. in Room 310. Will all the members of Finance, please try to be prompt."

The Chair then announced:

"Notice requirement for all those measures in conference is hereby waived."

Representative Gaulty: "Your Committees on Human Services and Finance will be holding a conference committee hearing on H.B. No. 436 which is actually a continuation from last Friday's work. The conference committee hearing will begin at 1:30 p.m. in Room 314. Also, Mr. Speaker, H.B. No. 776 will be discussed in conference this afternoon after the first bill in the same room."

ADJOURNMENT

At 12:26 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 16, 1985.

FIFTY-SEVENTH DAY

Tuesday, April 16, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Ronald Ching of the Kaimuki Evangelical Church, after which the Roll was called showing all members present with the exception of Representatives Kiyabu, Tajiri, Takamine and Yoshimura, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Fifth Day.

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

GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 96) informing the House that on April 13, 1985, he signed the following bills into law:

Senate Bill No. 34 as Act 12, entitled: "RELATING TO PRIVATE ACTIVITY BONDS";

Senate Bill No. 193 as Act 13, entitled: "RELATING TO THE BOARD OF DENTAL EXAMINERS";

Senate Bill No. 194 as Act 14, entitled: "RELATING TO DENTAL HYGIENISTS";

Senate Bill No. 218 as Act 15, entitled: "RELATING TO HEARING AID DEALERS AND FITTERS";

Senate Bill No. 479 as Act 16, entitled: "RELATING TO ADMINISTRATION OF TAXATION";

Senate Bill No. 1240 as Act 17, entitled: "RELATING TO CHILD ABUSE";

House Bill No. 112 as Act 18, entitled: "RELATING TO CHICKEN EGGS";

House Bill No. 275 as Act 19, entitled: "RELATING TO TAXATION"; and

House Bill No. 861 as Act 20, entitled: "RELATING TO HOUSING".

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 615 to 624) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 615) informing the House that the President has now appointed Senator Cayetano as co-chairman together with Senator Yamasaki on the part of the Senate at the conference on House Bill No. 89, HD 1, SD 2, was placed on file.

A communication from the Senate (Sen. Com. No. 616) informing the House that the President has added Senator Abercrombie as an additional manager on the part of the Senate at the conference on House Bill No. 265, HD 1, SD 1, was placed on file.

A communication from the Senate (Sen. Com. No. 617) informing the House that the President has added Senators B. Kobayashi and Toguchi as additional managers and has now appointed Senator Cayetano as co-chairman together with Senator Yamasaki on the part of the Senate at the conference on House Bill No. 281, HD 2, SD 2, was placed on file.

A communication from the Senate (Sen. Com. No. 618) transmitting Senate Concurrent Resolution No. 59, urging the University of Hawaii to approve permanent status for the Hawaiian Studies Program, which was adopted by the Senate on April 15, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 619) transmitting Senate Concurrent Resolution No. 63, requesting the State to veto any further use of DBCP on Maui pineapple fields, which was adopted by the Senate on April 15, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 620) transmitting Senate Concurrent Resolution No. 69, SD 1, supporting the extension of federal energy tax credits, which was adopted by the Senate on April 15, 1985, was placed on file.

A communication from the Senate

(Sen. Com. No. 621) transmitting Senate Concurrent Resolution No. 70, requesting the federal government to take certain actions to assist schizophrenics, which was adopted by the Senate on April 15, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 622) transmitting Senate Concurrent Resolution No. 71, SD 1, requesting a study of the services for schizophrenics provided by the Mental Health Division, which was adopted by the Senate on April 15, 1985, was placed on file.

By unanimous consent, further action on S.C.R. Nos. 59; 63; 69, SD 1; 70; and 71, SD 1, was deferred.

A communication from the Senate (Sen. Com. No. 623) 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. 1157, SD 1 (HD 1), were agreed to by the Senate on April 15, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 624) 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. 83, SD 2, were agreed to by the Senate on April 15, 1985, was placed on file.

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

Representative Jones introduced 52 eighth graders from the Hawaii Baptist Academy. They were accompanied by their teachers, Miss Jan Waggoner, Miss Joyce Springfield, and Miss Jane Mirikitani.

Representative Levin introduced a group of young actors from the American Samoa Community College. "They are here to perform an original play written by one of the students, Marlene Ring. Marlene is also directing a play which is entitled, Kava Tastes Like Novocaine. Their Honolulu visit will include performances at local high schools and a public performance Friday night at Palama Settlement. The group's Honolulu visit is being coordinated by the Honolulu Theatre for Youth and the Department of Education. The sponsor has said that the trip is something of a first for the Samoan youth. Normally the award of a trip

to Hawaii is reward that is usually only attained by Samoan young people in the fields of sports or chorale music. The play also is something of a first. It deals with the stress of rapid cultural change and it is believed to be the first time that young people in Samoa have used theater to express themselves. One of the actresses in the group is Miss American Samoa, Salote Aoelua."

Representative Levin then asked the group to stand and be recognized along with their local host, DOE Curriculum Specialist Violina Alefosio.

Representative Okamura introduced a group of 48 tenth, eleventh and twelfth grade students in the American Problems and U.S. History Class from Aiea High School. They were accompanied by their teachers, Miss Jane Fujii and Mrs. Rene Ota.

Representative Ige introduced Mr. and Mrs. Raymond Tanaka from the Big Island. "Mr. Tanaka is the brother of my secretary, Nancy Hashimoto (who accompanied them), who is also a close personal friend and has been with me for the last four sessions."

At 11:46 o'clock a.m., Representative Anderson asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:50 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Tajiri and Takamine.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

House Resolution 279 was referred to the Committee on Health.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 957 on S.B. No. 245:

By unanimous consent, action was deferred until Thursday, April 18, 1985.

Stand. Com. Rep. No. 960 on S.B. No. 154, SD 2:

By unanimous consent, action was deferred until Thursday, April 18, 1985.

Stand. Com. Rep. No. 963 on S.B. No. 1195, SD 1:

By unanimous consent, action was deferred until Thursday, April 18, 1985.

Stand. Com. Rep. No. 967 on S.B. No. 1392:

By unanimous consent, action was deferred until Thursday, April 18, 1985.

Stand. Com. Rep. No. 968 on S.B. No. 1397, SD 2:

By unanimous consent, action was deferred until Thursday, April 18, 1985.

Stand. Com. Rep. No. 970 on S.B. No. 36, SD 1:

By unanimous consent, action was deferred until Thursday, April 18, 1985.

Stand. Com. Rep. No. 986 on S.B. No. 557:

By unanimous consent, action was deferred until Thursday, April 18, 1985.

Stand. Com. Rep. No. 987 on S.B. No. 714:

By unanimous consent, action was deferred until Thursday, April 18, 1985.

Stand. Com. Rep. No. 988 on S.B. No. 936:

By unanimous consent, action was deferred until Thursday, April 18, 1985.

STANDING COMMITTEE REPORTS

Representatives Say and Levin, for the Committees on Water, Land Use Development and Hawaiian Homes and Higher Education and the Arts, presented a joint report (Stand. Com. Rep. No. 1089) recommending that H.R. No. 317, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Tam, seconded by Representative Levin and carried, the joint report of the Com-

mittees was adopted and H.R. No. 317, HD 1, entitled: "HOUSE RESOLUTION 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 referred to the Committee on Finance.

Representatives Say and Honda, for the Committees on Water, Land Use Development and Hawaiian Affairs and Agriculture, presented a joint report (Stand. Com. Rep. No. 1090) recommending that H.R. No. 411, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Tam, seconded by Representative Honda and carried, the joint report of the Committees was adopted and H.R. No. 411, HD 1, entitled: "HOUSE RESOLUTION 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 referred to the Committee on Legislative Management.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1091) recommending that H.R. No. 298, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Apo, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.R. No. 298, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INVESTIGATE THE PROBLEMS RELATING TO THE USE OF HANALEI BAY ON KAUAI AND TO DEVELOP A MANAGEMENT PLAN TO ENSURE THE ORDERLY USE OF THE BAY", was referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1092) recommending that H.R. No. 183, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Com-

mittee was adopted and H.R. No. 183, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE IMPACT OF HIGHER RESIDENTIAL TELEPHONE SERVICE RATES", was referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1093) recommending that H.R. No. 220, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.R. No. 220, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A PROGRAM AND BUDGET REVIEW OF THRIFT GUARANTY CORPORATION", was referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1094) recommending that H.C.R. No. 67, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.C.R. No. 67, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A PROGRAM AND BUDGET REVIEW OF THRIFT GUARANTY CORPORATION", was referred to the Committee on Finance.

Representatives Menor and Yoshimura, for the Committees on Corrections and Rehabilitation and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 1095) recommending that H.R. No. 123, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Menor, seconded by Representative Kim and carried, the joint report of the Committees was adopted and H.R. No. 123, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO GRANT A REQUEST FOR THE REPRICING OF THE ADULT CORRECTIONS OFFICER SERIES", was referred to the Committee on Finance.

Representatives Menor and Yoshimura, for the Committees on Corrections and Rehabilitation and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 1096) recommending that H.C.R. No. 24, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Menor, seconded by Representative Kim and carried, the joint report of the Committees was adopted and H.C.R. No. 24, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO GRANT A REQUEST FOR THE REPRICING OF THE ADULT CORRECTIONS OFFICER SERIES", was referred to the Committee on Finance.

Representatives Menor and Bunda, for the Committees on Corrections and Rehabilitation and Health, presented a joint report (Stand. Com. Rep. No. 1097) recommending that H.R. No. 255, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Menor, seconded by Representative Bunda and carried, the joint report of the Committees was adopted and H.R. No. 255, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CORRECTIONS DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, TO DEVELOP ALTERNATIVE PLANS FOR THE CONFINEMENT AND TREATMENT OF MENTALLY DISORDERED INMATES OF COMMUNITY CORRECTIONAL CENTERS", was referred to the Committee on Finance.

Representatives Menor and Bunda, for the Committees on Corrections and Rehabilitation and Health, presented a joint report (Stand. Com. Rep. No. 1098) recommending that H.C.R. No. 83, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Menor, seconded by Representative Bunda and carried, the joint report of the Committees was adopted and H.C.R. No. 83, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CORRECTIONS DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, TO DEVELOP ALTERNATIVE PLANS FOR THE CONFINEMENT AND TREATMENT OF MENTALLY DISORDERED INMATES OF COMMUNITY CORRECTIONAL CENTERS", was

referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1099) recommending that H.R. No. 210 be adopted.

On motion by Representative Hashimoto, seconded by Representative Cachola and carried, the report of the Committee was adopted and H.R. No. 210, entitled: "HOUSE RESOLUTION ENCOURAGING THE HAWAII HOUSING AUTHORITY (HHA) AND THE DEPARTMENT OF HAWAIIAN HOME LANDS (HHL) TO CONTINUE UTILIZING THE HOME OWNERS WARRANTY (HOW) CORPORATION INSURANCE PROGRAM", was adopted.

Representatives Say and Tungpalan, for the majority of the Committees on Water, Land Use Development and Hawaiian Affairs and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 1100) recommending that H.R. No. 235, as amended in HD 1, be adopted.

By unanimous consent, action was deferred one day.

Representatives Say and Tungpalan, for the majority of the Committees on Water, Land Use Development, and Hawaiian Affairs and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 1101) recommending that H.C.R. No. 78, as amended in HD 1, be adopted.

By unanimous consent, action was deferred one day.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1102) recommending that H.R. No. 44, as amended in HD 1, be adopted.

Representative Nakata rose to speak against the resolution, stating:

"Mr. Speaker, I am in agreement with the 'Whereas...' calling for innovative ways to increase the water supply such as desalinization. However, in the 'Be it Resolved...' section, I am troubled because it can be interpreted as also encouraging the all-out development of traditional sources of water such as wells, tunnels and streams.

"The Honolulu Board of Water

Supply has plans to drain every drop of water out of Windward Oahu.

"The resolution before us may encourage the Board of Water Supply to proceed forthwith, especially since the State water code still has not been passed by this body. This resolution can be seen as encouraging the Board of Water Supply to go ahead with Windward and other water development as fast as possible in order to beat the implementation of the code. If such a scenario develops, it will aggravate the problem of small users who have no way of establishing their rights to water except by expensive judicial procedures. This is true statewide and not just in Windward Oahu.

"As with land, water rights of the little guys have been legally stolen over the years because they did not have the money to go to court to defend those rights. It has been a simple matter for those with the money and power to take those rights away legally. They just took them and no one challenged them in court and it was theirs. This goes on today. The only reason the taro patches along Waihee Stream still have water is because, in the late '70s, poor farmers qualified for legal aid assistance and middle-class farmers were represented by other lawyers pro bono. After more than seven years, that case still has not reached final resolution and depends to some extent on the McBryde case. The final resolution may not come in our lifetimes without the adoption of the water code.

"This resolution could foster the speedier taking of water rights from small users all over the State. I, therefore, urge your votes against it.

"Thank you."

On motion by Representative Tam, seconded by Representative Kim and carried, the report of the Committee was adopted and H.R. No. 44, HD 1, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE CONTINUATION OF INNOVATIVE EFFORTS TO DEVELOP ADDITIONAL AND SUFFICIENT SOURCES OF WATER", was adopted, with Representatives Anderson, Cavasso, Kamali'i, Medeiros, Nakata, Pfeil and Shon voting no.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1103) recommending that H.C.R. No. 72 be adopted.

On motion by Representative Souki, seconded by Representative Crozier 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 adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1104) recommending that H.C.R. No. 66, HD 1, be adopted.

On motion by Representative Souki, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.C.R. No. 66, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1105) recommending that H.C.R. No. 57, HD1, be adopted.

On motion by Representative Souki, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.C.R. No. 57, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1106) recommending that H.C.R. No. 43, as amended in HD 2, be adopted.

On motion by Representative Souki, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.C.R. No. 43, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ON COUNSELING SERVICES IN THE PUBLIC SECONDARY SCHOOLS", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1107) recommending that H.C.R. No. 11 be adopted.

On motion by Representative Souki, seconded by Representative Crozier 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 adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1108) recommending that H.R. No. 343 be adopted.

On motion by Representative Souki, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.R. No. 343, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE POSSIBLE REPLACEMENT OF THE AD VALORUM LIQUOR TAX WITH A GALLONAGE LIQUOR TAX", was adopted.

Representatives Say and Hashimoto, for the majority of the Committees on Water, Land Use Development and Hawaiian Affairs and Housing, presented a joint report (Stand. Com. Rep. No. 1109) recommending that H.R. No. 340, as amended in HD 1, be referred to the Committee on Finance.

Representative Nakata rose and stated:

"Mr. Speaker, I also rise to speak against this House Resolution No. 340, House Draft 1, basically because I do not understand why when the Department of Land and Natural Resources can issue leases for geothermal energy development for farming, for churches, for sports leagues, for community centers, why there should be such a complicated procedure for those eleemosynary groups which want to produce housing for the elderly and handicapped.

"Thank you."

At 11:59 o'clock a.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 12:01 o'clock p.m.

On motion by Representative Tam, seconded by Representative Hashimoto and carried, the report of the majority of the Committee was adopted and H.R. No. 340, HD 1, entitled: "HOUSE RESOLUTION 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 ELEMOSYNARY ORGANIZATION FOR HOUSING FOR THE ELDERLY OR HANDICAPPED", was referred to the Committee on Finance, with Representatives Hemmings and Nakata voting no.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1110) recommending that H.R. No. 323, 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. 323, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DRAFT A FIVE-YEAR PLAN FOR THE HAWAII COMMUNITY COLLEGE IN WEST 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. 1111) recommending that H.C.R. No. 113, 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. 113, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DRAFT A FIVE-YEAR PLAN FOR THE HAWAII COMMUNITY COLLEGE IN WEST 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. 1112) recommending that H.R. No. 372, as amended 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. 372, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF REGENTS TO DEVELOP MEASURES OF EFFECTIVENESS AND TO ESTABLISH BASELINE DATA TO FACILITATE EVALUATIONS OF THE UNIVERSITY

OF HAWAII", was referred to the Committee on Finance.

Representative Levin, for the majority of the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1113) recommending that H.R. No. 373, 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 majority of the Committee was adopted and H.R. No. 373, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT OF THE UNIVERSITY OF HAWAII, THE DEAN OF THE SCHOOL OF TRAVEL INDUSTRY MANAGEMENT, AND THE BOARD OF REGENTS TO CONSIDER THE ESTABLISHMENT OF A TOURISM-RELATED GRADUATE COURSE", was referred to the Committee on Finance, with Representative Nakasato voting no.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1114) recommending that H.R. No. 318 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. 318, entitled: "HOUSE RESOLUTION 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 referred to the Committee on Finance.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1115) recommending that H.R. No. 344, 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. 344, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PREPARE A REPORT ON THE STATUS OF WOMEN FACULTY MEMBERS", was referred to the Committee on Finance.

Representatives Morgado and Levin, for the Committees on Education and Higher Education and the Arts, presented a joint report (Stand. Com.

Rep. No. 1116) recommending that H.R. No. 346, as amended in HD 1, 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. 346, HD 1, entitled: "HOUSE RESOLUTION 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 referred to the Committee on Finance.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1117) recommending that H.C.R. No. 47 be adopted.

On motion by Representative Souki, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PROGRAM AND MANAGEMENT AUDIT OF STATE ENVIRONMENTAL PROTECTION PROGRAMS", was adopted.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1118) recommending that H.C.R. No. 4 be adopted.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.C.R. No. 4, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO REVIEW AND REVISE THE FEDERAL BANKRUPTCY PREFERENCE LAW", was adopted.

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 Final Reading on the basis of a modified consent calendar.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 39, HD 2, SD 2, was taken from the

Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 39, HD 2, and H.B. No. 39, HD 2, SD 2, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 39 had passed Final Reading at 12:05 o'clock p.m.

By unanimous consent, H.B. No. 223, HD 1, SD 1, was taken from the Clerk's desk.

Representative Shito moved that the House agree to the amendments proposed by the Senate to H.B. No. 223, HD 1, and H.B. No. 223, HD 1, SD 1, having been read throughout, pass Final Reading, seconded by Representative Bunda.

Representative Blair rose to speak against the bill, stating:

"Mr. Speaker, I realize that this is a very important bill. Many of the provisions in here are very necessary. I would, however, point out that on page 6, we are making it a Class A felony to engage in a securities fraud where the amount in controversy exceeds \$100,000.

"I would just like to point out to the members of the House that under the present law, for even a theft of that magnitude, the penalty is a Class C felony. Under the bill which Representative Tom's committee reported over to the Senate, that would have been increased to a Class B felony. I am just afraid that if we make it a Class A felony under the securities statutes, that next year the argument is going to be made that we should conform it with the theft statutes to what we are doing this year, and there will be bills introduced next year to make theft in excess of that amount a Class A felony.

"I just think we haven't really looked at this in a sort of overall context, especially in terms of conforming it to the Penal Code, and that we should have, and for that reason, I will be voting no.

"Thank you."

The motion was put by the Chair

and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 223, HD 1, and H.B. No. 223, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 46 ayes to 3 noes, with Representatives Blair, Crozier and Menor voting no, and Representatives Kiyabu and Menor being excused.

The Chair directed the Clerk to note that H.B. No. 223 had passed Final Reading at 12:08 o'clock p.m.

By unanimous consent, H.B. No. 227, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 227, HD 1, and H.B. No. 227, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

By unanimous consent, H.B. No. 230, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 230, HD 1, and H.B. No. 230, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. Nos. 227 and 230 had passed Final Reading at 12:09 o'clock p.m.

By unanimous consent, H.B. No. 231, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 231, and H.B. No. 231, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

By unanimous consent, H.B. No. 232, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 232, HD 1, and H.B. No. 232, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. Nos. 231 and 232 had passed Final Reading at 12:10 o'clock p.m.

By unanimous consent, H.B. No. 234, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 234, HD 2, and H.B. No. 234, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

By unanimous consent, H.B. No. 235, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 235, and H.B. No. 235, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. Nos. 234 and 235 had passed Final Reading at 12:11 o'clock p.m.

By unanimous consent, H.B. No. 346, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 346, HD 1, and H.B. No. 346, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 346 had passed Final Reading at 12:12 o'clock p.m.

By unanimous consent, H.B. No. 352, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 352, and H.B. No. 352, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 352 had passed Final Reading at 12:13 o'clock p.m.

By unanimous consent, H.B. No. 363, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 363, HD 1, and H.B. No. 363, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 43 ayes to 6 noes, with Representatives Blair, Hemmings, Ikeda, Jones, Liu and Marumoto voting no, and Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 363 had passed Final Reading at 12:14 o'clock p.m.

By unanimous consent, H.B. No. 509, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 509, and H.B. No. 509, SD 1, having been read throughout, passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Anderson and Medeiros voting no, and Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 509 had passed Final Reading at 12:15 o'clock p.m.

By unanimous consent, H.B. No. 558, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate

to H.B. No. 558, HD 1, and H.B. No. 558, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 558 had passed Final Reading at 12:16 o'clock p.m.

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

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 743, HD 1, and H.B. No. 743, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 743 had passed Final Reading at 12:17 o'clock p.m.

By unanimous consent, H.B. No. 755, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 755, and H.B. No. 755, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 755 had passed Final Reading at 12:18 o'clock p.m.

At 12:19 o'clock p.m., Representative Taniguchi asked for a recess and the Chair declared a recess, subject to the call of the Chair.

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

By unanimous consent, H.B. No. 479, HD 1, SD 1, was taken from the Clerk's desk.

Representative Apo moved that the House agree to the amendments proposed by the Senate to H.B. No. 479, HD 1, and H.B. No. 479, HD 1, SD 1, having been read throughout, pass Final Reading, seconded by Representative Shon.

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

"This is the bill on the State fish. The humuhumunukunuku apua'a is now going down in history as the King of the ocean. At this time, of course, we have it up for five years; it will hold this tenuous status. After five years, it will go up for a vote and either be re-elected, like some of us, or it will go down in history.

"We also realize that this has created an enormous interest in the community. The young people of our State have had the opportunity to come and see the Legislature at work. They have understood more about the ocean and, perhaps now, we are becoming aware and growing a new awareness of the ocean that is around us.

"At this time, Mr. Speaker, if I have your permission, I would like to make a special presentation to the author of the bill and the man who has made us more aware of the ocean and the humuhumunukunuku apua'a."

Directed by the Chair to "please proceed", Representative Isbell presented Representative Apo with a poster, saying:

"Mr. Speaker, the poster is a reproduction of a beautiful painting which was done by a Kona artist, Mr. James O'Neil, who came up here especially to the House to make sure that the author of the bill was being presented with this poster. Unfortunately, he couldn't be here today to watch it but I am very pleased and very happy that we now have Representative Apo officially designated as 'Mr. King Fish.'

"The oceans of Hawaii and perhaps in future years, we will be hearing more about other designations, and thank you very much."

Representative Kihano then rose and remarked:

"Mr. Speaker, that's the first time I ever saw a humu kiss a kumu."

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

"To show that the Democratic process works, I support this bill wholeheartedly, and just to remind people that I hope I will be here in five years to undo what has been done today."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 479, HD 1, and H.B. No. 479, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 479 had passed Final Reading at 12:28 o'clock p.m.

By unanimous consent, H.B. No. 757, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 757, and H.B. No. 757, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 757 had passed Final Reading at 12:29 o'clock p.m.

By unanimous consent, H.B. No. 759, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 759, and H.B. No. 759, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

By unanimous consent, H.B. No. 761, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 761, and H.B. No. 761, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. Nos. 759 and 761 had passed Final Reading at 12:30 o'clock p.m.

By unanimous consent, H.B. No. 1054, HD 1, SD 1, was taken from

the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1054, HD 1, and H.B. No. 1054, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 1054 had passed Final Reading at 12:31 o'clock p.m.

By unanimous consent, H.B. No. 1056, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1056, HD 1, and H.B. No. 1056, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 1056 had passed Final Reading at 12:32 o'clock p.m.

By unanimous consent, H.B. No. 1271, HD 2, SD 1, was taken from the Clerk's desk.

Representative Shito moved that the House agree to the amendments proposed by the Senate to H.B. No. 1271, HD 2, and H.B. No. 1271, HD 2, SD 1, having been read throughout, pass Final Reading, seconded by Representative Bunda.

Representative Blair then rose and requested a conflict of interest ruling inasmuch as he has a broker's license, and the Chair ruled, "no conflict."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 1271, HD 2, and H.B. No. 1271, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 1271 had passed Final Reading at 12:33 o'clock p.m.

By unanimous consent, H.B. No. 1275, HD 1, SD 2, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1275, HD 1, and H.B. No. 1275, HD 1, SD 2, having been read throughout, passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Ikeda and Medeiros voting no, and Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 1275 had passed Final Reading at 12:34 o'clock p.m.

At this time, Representative Kamali'i rose and requested permission to make a late introduction "before they get out of the gallery."

Directed by the Chair to "please proceed", Representative Kamali'i introduced Kamaki Kamahele, "my handsome cousin from Washington D.C. who has done so much for all of us through the National Foundation of the Arts," and his mother, Auntie Aggie.

By unanimous consent, H.B. No. 1356, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1356, and H.B. No. 1356, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

By unanimous consent, H.B. No. 1357, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1357, HD 1, and H.B. No. 1357, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 48 ayes to 1 no, with Representative Blair voting no, and Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. Nos. 1356 and 1357

had passed Final Reading at 12:35 o'clock p.m.

By unanimous consent, H.B. No. 236, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 236, HD 2, and H.B. No. 236, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

By unanimous consent, H.B. No. 239, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 239, and H.B. No. 239, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. Nos. 236 and 239 had passed Final Reading at 12:36 o'clock p.m.

By unanimous consent, H.B. No. 240, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 240, HD 1, and H.B. No. 240, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 240 had passed Final Reading at 12:37 o'clock p.m.

By unanimous consent, H.B. No. 311, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 311, HD 1, and H.B. No. 311, HD 1, SD 1, having been read throughout, passed Final

Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 311 had passed Final Reading at 12:38 o'clock p.m.

By unanimous consent, H.B. No. 160, SD 1, was taken from the Clerk's desk.

On motion by Representative Bunda, seconded by Representative Kihano and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 160, and H.B. No. 160, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 160 had passed Final Reading at 12:39 o'clock p.m.

By unanimous consent, H.B. No. 162, SD 1, was taken from the Clerk's desk.

On motion by Representative Bunda, seconded by Representative Kihano and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 162, and H.B. No. 162, SD 1, having been read throughout, passed Final Reading by a vote of 48 ayes to 1 no, with Representative Levin voting no, and Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 162 had passed Final Reading at 12:40 o'clock p.m.

By unanimous consent, H.B. No. 171, SD 1, was taken from the Clerk's desk.

On motion by Representative Bunda, seconded by Representative Kihano and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 171, and H.B. No. 171, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 171 had passed Final Reading at 12:41 o'clock p.m.

By unanimous consent, H.B. No.

129, SD 1, was taken from the Clerk's desk.

On motion by Representative Morgado, seconded by Representative Lindsey and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 129, and H.B. No. 129, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 129 had passed Final Reading at 12:42 o'clock p.m.

By unanimous consent, H.B. No. 176, SD 1, was taken from the Clerk's desk.

On motion by Representative Morgado, seconded by Representative Lindsey and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 176, and H.B. No. 176, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

By unanimous consent, H.B. No. 697, HD 1, SD 2, was taken from the Clerk's desk.

On motion by Representative Morgado, seconded by Representative Lindsey and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 697, HD 1, and H.B. No. 697, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. Nos. 176 and 697 had passed Final Reading at 12:43 o'clock p.m.

By unanimous consent, H.B. No. 29, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 29, HD 1, and H.B. No. 29, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 29 had passed Final Reading at 12:44 o'clock p.m.

By unanimous consent, H.B. No. 33, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 33, HD 1, SD 1, and H.B. No. 33, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 33 had passed Final Reading at 12:45 o'clock p.m.

By unanimous consent, H.B. No. 333, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 333, HD 1, and H.B. No. 333, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 333 had passed Final Reading at 12:46 o'clock p.m.

By unanimous consent, H.B. No. 355, SD 1, was taken from the Clerk's desk.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 355, and H.B. No. 355, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 355 had passed Final Reading at 12:47 o'clock p.m.

By unanimous consent, H.B. No. 382, SD 1, was taken from the Clerk's desk.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the House agreed to the

amendments proposed by the Senate to H.B. No. 382, and H.B. No. 382, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 382 had passed Final Reading at 12:48 o'clock p.m.

By unanimous consent, H.B. No. 401, SD 1, was taken from the Clerk's desk.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 401, and H.B. No. 401, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 401 had passed Final Reading at 12:49 o'clock p.m.

By unanimous consent, H.B. No. 460, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 460, HD 1, and H.B. No. 460, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 460 had passed Final Reading at 12:50 o'clock p.m.

By unanimous consent, H.B. No. 111, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Honda, seconded by Representative Nakata and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 111, HD 1, and H.B. No. 111, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 48 ayes to 1 no, with Representative Marumoto voting no, and Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 111 had passed Final Reading at 12:52 o'clock p.m.

By unanimous consent, H.B. No. 492, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Honda, seconded by Representative Nakata and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 492, HD 1, and H.B. No. 492, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 492 had passed Final Reading at 12:53 o'clock p.m.

By unanimous consent, H.B. No. 949, SD 1, was taken from the Clerk's desk.

On motion by Representative Andrews, seconded by Representative Tam and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 949, and H.B. No. 949, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 949 had passed Final Reading at 12:54 o'clock p.m.

At 12:55 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:57 o'clock p.m.

By unanimous consent, H.B. No. 181, SD 1, was taken from the Clerk's desk.

On motion by Representative Tam, seconded by Representative Apo and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 181, and H.B. No. 181, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 181 had passed Final Reading at 12:58 o'clock p.m.

By unanimous consent, H.B. No. 184, HD 2, SD 2, was taken from the Clerk's desk.

On motion by Representative Tam,

seconded by Representative Apo and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 184, HD 2, and H.B. No. 184, HD 2, SD 2, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 184 had passed Final Reading at 12:59 o'clock p.m.

By unanimous consent, H.B. No. 193, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Tam, seconded by Representative Apo and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 193, HD 2, and H.B. No. 193, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 193 had passed Final Reading at 1:00 o'clock p.m.

By unanimous consent, H.B. No. 209, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Tam, seconded by Representative Apo and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 209, HD 1, and H.B. No. 209, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 209 had passed Final Reading at 1:01 o'clock p.m.

By unanimous consent, H.B. No. 195, SD 1, was taken from the Clerk's desk.

On motion by Representative Tam, seconded by Representative Apo and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 195, and H.B. No. 195, SD 1, having been read throughout, passed Final Reading by a vote of 46 ayes to 3 noes, with Representatives Hemmings, Ikeda and Isbell voting no, and Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 195 had passed Final Reading at 1:02 o'clock p.m.

By unanimous consent, H.B. No. 860, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Cachola, seconded by Representative Kihano and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 860, HD 1, and H.B. No. 860, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 860 had passed Final Reading at 1:03 o'clock p.m.

By unanimous consent, H.B. No. 839, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 839, HD 1, and H.B. No. 839, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 839 had passed Final Reading at 1:04 o'clock p.m.

By unanimous consent, H.B. No. 263, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Graulty, seconded by Representative Leong and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 263, HD 1, and H.B. No. 263, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 48 ayes to 1 no, with Representative Bunda voting no, and Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 263 had passed Final Reading at 1:05 o'clock p.m.

By unanimous consent, H.B. No. 264, SD 1, was taken from the Clerk's desk.

On motion by Representative

Graulty, seconded by Representative Leong and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 264, and H.B. No. 264, SD 1, having been read throughout, passed Final Reading by a vote of 48 ayes to 1 no, with Representative Bunda voting no, and Representatives Kiyabu and Yoshimura being excused.

By unanimous consent, H.B. No. 434, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Graulty, seconded by Representative Leong and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 434, HD 1, and H.B. No. 434, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. Nos. 264 and 434 had passed Final Reading at 1:06 o'clock p.m.

By unanimous consent, H.B. No. 1163, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Graulty, seconded by Representative Leong and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1163, HD 2, and H.B. No. 1163, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 1163 had passed Final Reading at 1:07 o'clock p.m.

By unanimous consent, H.B. No. 1243, SD 1, was taken from the Clerk's desk.

On motion by Representative Apo, seconded by Representative Honda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1243, and H.B. No. 1243, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 1243 had passed Final Reading at 1:08 o'clock p.m.

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

On motion by Representative Tungpalan, seconded by Representative Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 174, HD 1, and H.B. No. 174, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 174 had passed Final Reading at 1:09 o'clock p.m.

By unanimous consent, H.B. No. 267, HD 1, SD 2, was taken from the Clerk's desk.

On motion by Representative Tungpalan, seconded by Representative Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 267, HD 1, and H.B. No. 267, HD 1, SD 2, having been read throughout, passed Final Reading by a vote of 48 ayes to 1 no, with Representative Bunda voting no, and Representatives Kiyabu and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 267 had passed Final Reading at 1:10 o'clock p.m.

ANNOUNCEMENTS

Representative Bunda rose and requested waiver of the 48-hour notice for hearing on H.C.R. No. 131, recognizing the month of May as "Better Hearing and Better Speech Month", and the Chair, noting that there were no objections, "so ordered."

Representative Bunda then announced that "the hearing will be held at 2:30 this afternoon in Room 328."

Representative Levin requested waiver of the 48-hour notice for hearings on S.C.R. No. 59, urging the University of Hawaii to approve current status for the Hawaiian Studies Program; H.R. No. 446 and H.C.R. No. 147, welcoming the province of Guangdong of the People's Republic of China as a sister province-state of the State of Hawaii and the Chair, noting that there were no objections, "so ordered."

Representative Levin then an-

nounced that "the hearing will be held on Wednesday at 1:30."

Representative Cachola: "Your Committee on Housing will conduct a public hearing on certain resolutions tomorrow morning at 8:30 in Room 314. Decision making to follow."

Representative Souki rose and requested waiver of the 48-hour notice for hearings on certain bills and resolutions today at 3:00 o'clock in Room 307, and the Chair, noting that there were no objections, "so ordered."

Representative Graulty rose and requested waiver of the 48-hour notice for hearings on H.R. Nos. 393 and 418 and the Chair, noting that there were no objections, "so ordered."

Representative Graulty then announced that "your Committee on Human Services will be conducting public hearings tomorrow at 9:00 a.m. in Room 314 on the two resolutions, and this afternoon, at 2:30 p.m., your House conferees on H.B. 436, relating to personal care services, made up of members from your Committees on Human Services and Finance, will be meeting, as I said at 2:30 p.m., in Room 314. Following that particular conference, conferees on H.B. 1285 will be meeting in Senate Conference Room 4 for the purpose of continuing the deliberations on that particular measure."

The Chair then said:

"All conferees are reminded to make themselves available on all measures before conference."

Representative Apo then rose and thanked the members of the House for the support on the State fish bill, "and especially, I would like to thank Representative Isbell for the very nice presentation. I will be sure to hang it up in my office."

At 1:14 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 1:20 o'clock p.m.

At 1:22 o'clock p.m., the House of Representatives stood in recess, for the purpose of receiving Conference Committee Reports.

CONFERENCE COMMITTEE REPORTS

Representatives Andrews and Crozier, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 153, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 1) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 1 on S.B. No. 153, SD 1, HD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 153, SD 1, HD 2, CD 1, were made available to the members of the House at 3:00 o'clock p.m.

Representatives Andrews and Crozier, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 702, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 2) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 2 on S.B. No. 702, SD 2, HD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 702, SD 2, HD 2, CD 1, were made available to the members of the House at 3:00 o'clock p.m.

Representatives Tungpalan and Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 268, SD 1, presented a report (Conf. Com. Rep. No. 3) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 3 on H.B. No. 268, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 268, SD 1, CD 1, were made available to the members of the House at 5:00 o'clock p.m.

Representative Apo, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 188, SD 1, presented a report (Conf. Com. Rep. No. 4)

recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 4 on H.B. No. 188, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 188, SD 1, CD 1, were made available to the members of the House at 5:00 o'clock p.m.

Representative Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1162, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 5) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 5 on H.B. No. 1162, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1162, HD 1, SD 1, CD 1, were made available to the members of the House at 5:00 o'clock p.m.

Representative Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1386, SD 1, presented a report (Conf. Com. Rep. No. 6) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 6 on H.B. No. 1386, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1386, SD 1, CD 1, were made available to the members of the House at 5:00 o'clock p.m.

Representatives Bunda and Kiyabu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1186, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 7) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 7 on S.B. No. 1186, SD 2, HD 1, CD 1, was deferred, and in accordance with

Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1186, SD 2, HD 1, CD 1, were made available to the members of the House at 6:00 o'clock p.m.

Representative Apo, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1224, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 8) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 8 on S.B. No. 1224, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1224, SD 1, HD 1, CD 1, were made available to the members of the House at 7:00 o'clock p.m.

Representatives Apo and Crozier, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 90, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 9) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 9 on S.B. No. 90, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 90, SD 1, HD 1, CD 1, were made available to the members of the House at 7:00 o'clock p.m.

Representative Apo, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 93, HD 1, presented a report (Conf. Com. Rep. No. 10) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 10 on S.B. No. 93, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 93, HD 1, CD 1, were made available to the members of the House at 7:00 o'clock p.m.

Representative Bunda, for the

Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 488, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 11) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 11 on H.B. No. 488, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 488, HD 1, SD 1, CD 1, were made available to the members of the House at 7:00 o'clock p.m.

Representatives Gaulty and Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 266, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 12) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 12 on H.B. No. 266, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 266, HD 1, SD 1, CD 1, were made available to the members of the House at 7:00 o'clock p.m.

Representatives Gaulty and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 49, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 13) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 13 on H.B. No. 49, HD 2, SD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 49, HD 2, SD 2, CD 1, were made available to the members of the House at 8:25 o'clock p.m.

Representatives Takamine and Gaulty, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 101, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 14) recommending to their respective Houses the final passage of the bill with

certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 14 on H.B. No. 101, HD 1, SD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 101, HD 1, SD 2, CD 1, were made available to the members of the House at 8:25 o'clock p.m.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1408, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 15) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 15 on S.B. No. 1408, SD 2, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1408, SD 2, HD 1, CD 1, were made available to the members of the House at 8:25 o'clock p.m.

Representative Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 28, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 16) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 16 on H.B. No. 28, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 28, HD 1, SD 1, CD 1, were made available to the members of the House at 9:30 o'clock p.m.

Representatives Taniguchi and Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 89, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 17) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 17 on H.B. No. 89, HD 1, SD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii,

printed copies of H.B. No. 89, HD 1, SD 2, CD 1, were made available to the members of the House at 9:30 o'clock p.m.

Representatives Tom and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 104, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 18) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 18 on H.B. No. 104, HD 2, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 104, HD 2, SD 1, CD 1, were made available to the members of the House at 9:30 o'clock p.m.

Representatives Taniguchi and Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 830, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 19) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 19 on H.B. No. 830, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 830, HD 1, SD 1, CD 1, were made available to the members of the House at 9:30 o'clock p.m.

Representatives Taniguchi and Takamine, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1393, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 20) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 20 on H.B. No. 1393, HD 2, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1393, HD 2, SD 1, CD 1, were made available to the members of the House at 9:30 o'clock p.m.

Representative Taniguchi, for the Committee on Conference on the

disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 519, SD 1, presented a report (Conf. Com. Rep. No. 21) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 21 on H.B. No. 519, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 519, SD 1, CD 1, were made available to the members of the House at 9:30 o'clock p.m.

Representatives Tom, Tungpalan and Takamine, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 78, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 22) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 22 on S.B. No. 78, SD 1, HD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 78, SD 1, HD 2, CD 1, were made available to the members of the House at 9:30 o'clock p.m.

Representatives Taniguchi and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 133, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 23) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 23 on S.B. No. 133, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 133, SD 1, HD 1, CD 1, were made available to the members of the House at 9:30 o'clock p.m.

Representatives Tom and Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 249, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 24) recommending to their respective Houses the final passage of the bill

with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 24 on S.B. No. 249, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 249, SD 1, HD 1, CD 1, were made available to the members of the House at 9:30 o'clock p.m.

Representatives Oshiro and Nakasato, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1264, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 25) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 25 on S.B. No. 1264, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1264, SD 1, HD 1, CD 1, were made available to the members of the House at 9:30 o'clock p.m.

Representative Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 329, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 26) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 26 on H.B. No. 329, HD 1, SD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 329, HD 1, SD 2, CD 1, were made available to the members of the House at 10:00 o'clock p.m.

Representative Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1257, SD 1, presented a report (Conf. Com. Rep. No. 27) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 27 on H.B. No. 1257, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the

Constitution of the State of Hawaii, printed copies of H.B. No. 1257, SD 1, CD 1, were made available to the members of the House at 10:00 o'clock p.m.

Representative Bunda, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 165, SD 1, presented a report (Conf. Com. Rep. No. 28) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 28 on H.B. No. 165, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 165, SD 1, CD 1, were made available to the members of the House at 11:00 o'clock p.m.

Representative Gaulty, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 776, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 29) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 29 on H.B. No. 776, HD 2, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 776, HD 2, SD 1, CD 1, were made available to the members of the House at 11:00 o'clock p.m.

Representatives Gaulty and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 436, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 30) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 30 on H.B. No. 436, HD 2, SD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 436, HD 2, SD 2, CD 1, were made available to the members of the House at 11:30 o'clock p.m.

ADJOURNMENT

At 12:00 o'clock, midnight, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 17, 1985.

FIFTY-EIGHTH DAY

Wednesday, April 17, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:43 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Rabbi Richard Ettelson, Chaplain of the U.S. Navy, after which the Roll was called showing all members present with the exception of Representatives Blair, Kim, and Tajiri who were excused.

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

SENATE COMMUNICATIONS

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

A communication from the Senate (Sen. Com. No. 625) transmitting Senate Concurrent Resolution No. 96, which was adopted by the Senate on April 16, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 96 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 626) transmitting Senate Concurrent Resolution No. 123, which was adopted by the Senate on April 16, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 123 was deferred.

A communication from the Senate (Sen. Com. No. 627) transmitting Senate Concurrent Resolution No. 139, which was adopted by the Senate on April 16, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 139 was deferred.

A communication from the Senate (Sen. Com. No. 628) transmitting Senate Concurrent Resolution No. 140, which was adopted by the Senate on April 16, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 140 was deferred.

A communication from the Senate (Sen. Com. No. 629) informing the House that Senate Bill No. 83, SD2, HD1, passed Final Reading in the Senate on April 16, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 630) informing the House that Senate Bill No. 1157, SD1, HD1, passed Final Reading in the Senate on April 16, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 631) informing the House that Senate Bill No. 1404, HD1, passed Final Reading in the Senate on April 16, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 632) returning House Bill No. 1060, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", which passed Third Reading in the Senate on April 16, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 633) returning House Bill No. 1063, HD1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", which passed Third Reading in the Senate on April 16, 1985, was placed on file.

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

Representative Jones introduced leaders and members in a local organization called The National United Front for the Liberation of Vietnam. They are immigrants now living in Hawaii and are as follows: Mr. Nyguyen Hoi, representative of internal operations in Vietnam; Mr. Vu Nott, from the overseas operation; Mr. Nyguyen Dang Quon from the Chapter of Hawaii President; Mr. Panh Tha, who is in charge of the local support movement; and Mr. Thanh Yuen, spokesperson for the Hawaii chapter.

Representative Leong, on behalf of Representative Crozier and himself, introduced seven visitors from Baltimore, Maryland as follows: Mr. and Mrs. Fred Chavez; Ms. Virginia Bowers; Ms. Lillian Adams; Ms. Phoebe Trudie; Ms. Naina Ramsberg; and Ms. Bea Walsh.

Representative Okamura, on behalf of Representatives Hashimoto and Morgado introduced 50 students from Aiea High School accompanied by their teachers, Ms. Jane Fujii and Lorraine Ota.

Representative Cavasso introduced Mr. Chris Porter, who was on a food relief and evangelistic mission in the Philippines.

Representative Groaty introduced out of town guests, Mr. Leon Dagdagan, a former fellow law student, and his guest, Miss Wendy Wright.

ORDER OF THE DAY

DEFERRED RESOLUTION

S.C.R. No. Referred to:

96 Jointly to the Committees on Human Services and Judiciary, then to the Committee on Finance

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1100 on H.R. No. 235, HD1:

Representative Say moved that the report of the majority of the Committee be adopted and H.R. No. 235, HD1, be adopted, seconded by Representative Yoshimura.

Representative Say then offered the following amendment to H.R. No. 235, HD1, as follows:

House Resolution No. 235, HD1, is amended by adding a new paragraph as the penultimate resolve clause and to read as follows:

"BE IT FURTHER RESOLVED that the State of Hawaii work closely with the Hawaii Economic Development Project - Homeport Task Force to provide, as a general target, at least a one-to-one ratio corresponding to the number of housing units for local needs versus the number of

housing units for U.S. Navy needs for public housing; and"

Representative Say moved that the amendment be adopted, seconded by Representative Tam.

Representative Nakata rose to speak against the resolution, stating:

"Pearl Harbor is currently undergoing severe cutbacks in support services personnel. This is being done despite a massive buildup in the Navy over the last few years, despite the increasing Soviet naval presence in the Pacific, and despite the political instability in the Philippines which could threaten U.S. use of Subic Bay.

"It is in this contradictory context the Pentagon and the President are dangling the Missouri as a carrot to various cities. Why? The conclusion I come to is that they are trying to cut the costs of the Federal Government and the national administration by throwing these costs to the states and localities where the home-porting will occur.

"Why should we offer incentives such as the 180 million dollars for housing at a time when 60,000 of our own families do not have housing they can afford? Why should we offer incentives at a time when the President and the leadership of the Senate want to cut out 15 million dollars in impact aid to our schools? Why doesn't the President have a housing program which would, among others, take care of our 60,000 families in which would produce jobs and stimulate the economy far more than the battleship group?

"It is for military and national security reasons that the battleship group should be homeported here with the Federal Government providing the funds for the support services, not the State of Hawaii and the City and County of Honolulu.

"The President should do his duty without our enticement. National defense should not be sold to the highest bidder.

"Thank you."

Representative Hemmings then rose to speak to the resolutions and amendments with reservations,

stating:

"Mr. Speaker, it seems we're in a position now where we are "giving away the store to get the customer."

"The economics of this whole venture is that bringing and homeporting the battleship group here in Hawaii is going to be an economic boon to Hawaii. I think that there is a possibility because of all the bargaining going on, because of the concessions we had to make in providing housing, providing infrastructure such as water, waste management, providing additional assistance in our schools which are already taxed to their fullest, that we may be in a precarious position of attaining, allegedly, economic asset for more than its worth.

"Secondly, it's important to consider that when you consider the economic asset where the source of the revenue is -- and this is not new business coming to Hawaii in the sense of the word that the money is coming back in the form of tax dollars -- the federal government is already facing a massive deficit and so we are really being funded indirectly by a massive deficit of our own dollars -- so it does not add up economically.

"In speaking to the resolution with reservation, I do support it conceptually, but I would also like to point out to all of us that we have lost our advantage in bargaining on this issue. We have been put into a corner -- I would also like to point out that San Francisco has voted against having homeported battleships in their area, and that New York reported back that previous experiences of similar activities on the part of the Navy in their area, had proved to be negative as far as advantage economically to their area.

"I do think, in summary, that there is a possibility that homeporting will be an advantage to the State of Hawaii; I think we are getting very close to the point that it will not. So I speak to the resolution with reservations.

"Thank you Mr. Speaker."

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

"Most of the criticism aimed at the establishment of a battlegroup here in Hawaii has been due to the lack of housing; and also criticized for the offers to provide new housing units for the incoming navy personnel should they be based here.

"I think the resolution, as amended, may help in providing some of the much needed housing. We should accept the challenge of the shortage of housing here in the Legislature as a challenge to provide more for local residents and for military alike. We should, in this way, help our beleaguered construction and real estate industry and our long-suffering residents.

"The history of Hawaii and the presence of the Navy at Pearl Harbor has been intertwined for over a century. The Navy has been good neighbors and I hope we will continue to welcome them with aloha.

"I do not agree with my colleague who feels that we would not benefit economically; I think one of the "whereas" clauses in this resolution addresses the benefits to Hawaii; but I don't think we should judge it on military basis alone or on economic costs alone, but I think we should remember that Hawaii has traditionally been open to people and we should remember that we are a "land of aloha."

"Thank you very much."

The motion to adopt the amendment was put by the Chair and carried.

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.R. No. 235, HD1, as amended (HD2), entitled: "HOUSE RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORT THE MISSOURI BATTLESHIP GROUP AT PEARL HARBOR", was adopted with Representative Nakata registering a no vote.

Stand. Com. Rep. No. 1101 on H.C.R. No. 78, HD1:

Representative Say moved that the report of the majority of the Committee be adopted and H.C.R. No. 78, HD1, be adopted, seconded by Representative Yoshimura.

Representative Say then offered the following amendment to H.C.R. No. 78, HD1, as follows:

House Concurrent Resolution No. 78, HD1, is amended by adding a new paragraph as the penultimate resolve clause and to read as follows:

"BE IT FURTHER RESOLVED that the State of Hawaii work closely with the Hawaii Economic Development Project - Homeport Task Force to provide, as a general target, at least a one-to-one ratio corresponding to the number of housing units for local needs versus the number of housing units for U.S. Navy needs for public housing; and "

Representative Say moved that the amendment be adopted, seconded by Representative Tam.

The motion to adopt the amendment was put by the Chair and carried.

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.C.R. No. 78, HD1, as amended (HD2), entitled: "HOUSE CONCURRENT RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORT THE MISSOURI BATTLESHIP GROUP AT PEARL HARBOR", was adopted with Representative Nakata registering a no vote.

STANDING COMMITTEE REPORTS

Representative Levin, for the majority of the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1119) recommending that S.C.R. 36, SD1, be referred to the Committee on Finance.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the majority of the Committee was adopted and S.C.R. No. 36, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE SCHOOL OF MEDICINE OF THE UNIVERSITY OF HAWAII", was referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1120) recommending that H.R. No. 15 be

adopted.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.R. No. 15, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO REVIEW AND REVISE THE FEDERAL BANKRUPTCY PREFERENCE LAW", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1121) recommending that H.R. No. 11 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 11, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE TWELVE MEMBER JURY REQUIREMENT IN CIVIL CASES", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1122) recommending that H.R. No. 12 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 12, entitled: "HOUSE RESOLUTION REQUESTING THE JUDICIARY TO STUDY ALTERNATIVES TO EXPEDITE THE DISPOSITION OF TRAFFIC CASES", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1123) recommending that H.R. No. 48 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki 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 adopted with Representatives Liu, Marumoto and Hemmings registering no votes.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1124) recommending that H.R. No. 49, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 49, HDI, 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 adopted with Representatives Liu, Marumoto and Hemmings registering no votes.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1125) recommending that H.R. No. 50 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki 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 adopted with Representatives Liu, Marumoto and Hemmings registering no votes.

Representatives Liu rose to speak against H.R. Nos. 48, 49, HDI, and 50, stating:

"It's amusing to me, Mr. Speaker, that this Body finds it necessary to aid the Governor in getting his own team behind his own game plan called the State Plan and to me, it just points out the problem that I had stated before on this floor with the State Plan, those being in summary: 1) the departments really lack the time to go through another layer of directives for something which they already do on a day-to-day basis and 2) there are guidelines in planning, which again, are much more apropos to the changing nature of our society; those are guidelines that come down yearly through the normal budgetary process and guidelines from this Body in assessing the needs of this community; and 3) that the State Plan is a very poor attempt to try to keep alive a concept which has been viewed, and I believe correctly so, as an attempt by certain persons in the Administration to be preoccupied with the control of too many aspects of our economy.

"For those reasons, Mr. Speaker, I am voting no on those resolutions.

"Thank you."

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1126) recommending that H.R. No. 60, HDI, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 60, HDI, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A STATEWIDE KAPU SYSTEM TO PROTECT AND MANAGE HAWAII'S OCEAN RESOURCES", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1127) recommending that H.R. No. 63, HDI, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 63, HDI, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE COMMERCIAL FISHING LICENSING SYSTEM TO DETERMINE ANY EXISTING PROBLEMS WITH THE SYSTEM AND WAYS IN WHICH IT CAN BE IMPROVED", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1128) recommending that H.R. No. 70 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 70, entitled: "HOUSE RESOLUTION REQUESTING THE VISITOR INDUSTRY EDUCATION COUNCIL TO PREPARE A FILM TO SHOW THE ADVANCEMENT OPPORTUNITIES IN THE VISITOR INDUSTRY", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1129) recommending that H.R. No. 100 be adopted.

On motion by Representative Kiyabu, seconded by Repre-

sentative Souki 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 adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1130) recommending that H.R. No. 103, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 103, HD1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON THE RETROFIT OF THE CENTRAL AIR CONDITIONING SYSTEMS OF STATE BUILDINGS", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1131) recommending that H.R. No. 110, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 110, HD1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE ESTABLISHMENT OF A STOCK EXCHANGE IN HONOLULU", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1132) recommending that H.R. No. 113, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 113, HD1, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE CONVENING OF A PACIFIC BASIN TOURISM CONFERENCE", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1133) recommending that H.R. No. 119, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 119, HD1,

entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A SEPARATE PUBLIC UNIVERSITY ENCOMPASSING THE UNIVERSITY OF HAWAII AT HILO", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1134) recommending that H.R. No. 120, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 120, HD1, entitled: "HOUSE RESOLUTION CONCERNING THE DEVELOPMENT OF A SAND BEACH ON COCONUT ISLAND PARK, HAWAII", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1135) recommending that H.R. No. 133, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 133, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO MAKE RECOMMENDATIONS TO PROVIDE AUTOMATIC INCREASES TO STATE AND COUNTY RETIREES, ENABLING THEM TO COPE WITH THE CONTINUING ESCALATION OF THEIR BASIC LIVING COSTS", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1136) recommending that H.R. No. 137 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki 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 adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1137) recommending that H.R. No. 221, HD1, be adopted.

On motion by Representative

Kiyabu, seconded by Representative Souki 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 adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1138) recommending that H.R. No. 232, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 232, HD1, 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 adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1139) recommending that H.R. No. 269, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 269, HD1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON THE FEASIBILITY OF EXPANDING THE AVAILABILITY OF HEALTH CARE PLANS UNDER MEDICAID", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1140) recommending that H.R. No. 288 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki 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 adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1141) recommending that H.R. No. 292 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 292, entitled: "HOUSE RESOLUTION REQUESTING A REPORT CONCERNING ADMINISTRATIVE RULES ON UNDERGROUND INJECTION CONTROL, TITLE II, CHAPTER 23", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1142) recommending that H.R. No. 335, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 335, HD1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE STATEWIDE STANDARDIZED TESTING PROGRAM OF THE DEPARTMENT OF EDUCATION", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1143) recommending that H.R. No. 339, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 339, HD1, entitled: "HOUSE RESOLUTION 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 adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1144) recommending that H.R. No. 153, HD1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was

adopted and H.R. No. 153, HDI, 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 adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1145) recommending that H.R. No. 160 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 160, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PROVIDE A PROGRESS REPORT ON THE IMPLEMENTATION OF THE KEWALO BASIN TASK FORCE'S RECOMMENDATIONS", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1146) recommending that H.R. No. 178, HDI, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 178, HDI, entitled: "HOUSE RESOLUTION ENCOURAGING THE STATE TO PROCEED IMMEDIATELY WITH IMPLEMENTING THE MANAGEMENT PROGRAMS OUTLINED IN THE ALALA RESTORATION PLAN", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1147) recommending that H.R. No. 195, HDI, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 195, HDI, entitled: "HOUSE RESOLUTION RELATING TO A STUDY OF THE RELATIONSHIP BETWEEN TEACHING, RESEARCH, AND THE UNDERGRADUATE PROGRAM AT THE UNIVERSITY OF HAWAII", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1148) recommending that H.R. No. 208 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki 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 adopted.

Representative Kiyabu, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 1149) recommending that H.R. No. 211, HDI, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the majority of the Committee was adopted and H.R. No. 211, HDI, 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 APPROVING THE DEVELOPMENT OF SUBMERGED LANDS AT KE'EHĪ LAGOON", was adopted with Representatives Hirono, Nakata and Crozier registering no votes.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1150) recommending that H.R. No. 212, HDI, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 212, HDI, 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 adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1151) recommending that H.R. No. 215, HDI, be adopted.

On motion by Representative

Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 215, HD1, 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 adopted.

Representative Menor, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 1152) recommending that H.R. No. 287, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Menor, seconded by Representative Apo and carried, the report of the Committee was adopted and H.R. No. 287, HD1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE POSSIBILITY OF ALCOHOL TREATMENT PROGRAMS FOR CONVICTED ALCOHOLICS AS AN ALTERNATIVE TO INCARCERATION", was referred to the Committee on Finance.

Representatives Menor and Bunda, for the Committees on Corrections and Rehabilitation and Health, presented a joint report (Stand. Com. Rep. No. 1153) recommending that H.R. No. 256, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Menor, seconded by Representative Apo and carried, the joint report of the Committees was adopted and H.R. No. 256, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE CORRECTIONS DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, TO DEVELOP STANDARDIZED DAILY MENUS FOR ALL COMMUNITY CORRECTIONAL FACILITIES AND TO DEVELOP A PILOT STUDY ON IMPLEMENTING A LOW SUGAR AND NUTRITIONALLY SUFFICIENT, BUT NOT EXCESSIVE, CALORIC DIETARY PROGRAM FOR INMATES", was referred to the Committee on Finance.

Representatives Menor and Bunda, for the Committees on Corrections and Rehabilitation and Health, presented a joint report (Stand. Com. Rep. No. 1154) recommending that H.C.R. No. 84, as

amended in HD1, be referred to the Committee on Finance.

On motion by Representative Menor, seconded by Representative Bunda and carried, the joint report of the Committees was adopted and H.C.R. No. 84, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CORRECTIONS DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, TO DEVELOP STANDARDIZED DAILY MENUS FOR ALL COMMUNITY CORRECTIONAL FACILITIES AND TO DEVELOP A PILOT STUDY ON IMPLEMENTING A LOW SUGAR AND NUTRITIONALLY SUFFICIENT, BUT NOT EXCESSIVE, CALORIC DIETARY PROGRAM FOR INMATES", was referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1155) recommending that H.R. No. 151, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.R. No. 151, HD1, entitled: "HOUSE RESOLUTION URGING THE BOARD OF MASSAGE TO CREATE A SPECIALIZATION DESIGNATION FOR NERVE THERAPY TECHNICIANS", was referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1156) recommending that H.R. No. 443, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.R. No. 443, HD1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON PREPAID INDIVIDUAL CAPITATION DENTAL PLANS", was referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1157) recommending that H.C.R. No. 153,

as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.C.R. No. 153, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON PREPAID INDIVIDUAL CAPITATION DENTAL PLANS", was referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1158) recommending that H.R. No. 404, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.R. No. 404, HD1, entitled: "HOUSE RESOLUTION 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 referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1159) recommending that H.C.R. No. 133, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Bunda carried, the report of the Committee was adopted and H.C.R. No. 133, HD1, entitled: "HOUSE CONCURRENT RESOLUTION 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 referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and

Commerce, presented a report (Stand. Com. Rep. No. 1160) recommending that H.R. No. 442 be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.R. No. 442, entitled: "HOUSE RESOLUTION REQUESTING THAT PUBLIC REPORTS FOR HORIZONTAL PROPERTY REGIMES (CONDOMINIUMS) ISSUED BY THE REAL ESTATE COMMISSION BE WRITTEN IN PLAIN LANGUAGE", was referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1161) recommending that H.C.R. No. 152 be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.C.R. No. 152, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT PUBLIC REPORTS FOR HORIZONTAL PROPERTY REGIMES (CONDOMINIUMS) ISSUED BY THE REAL ESTATE COMMISSION BE WRITTEN IN PLAIN LANGUAGE", was referred to the Committee on Finance.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1162) recommending that H.R. No. 433 be referred to the Committee on Legislative Management.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.R. No. 433, entitled: "HOUSE RESOLUTION RELATING TO A STUDY OF GENERAL LIABILITY INSURANCE FOR PEST CONTROL OPERATORS", was referred to the Committee on Legislative Management.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1163) recommending that H.C.R. No. 148 be referred to the Committee on Legislative Management.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.C.R. No. 148, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A STUDY OF GENERAL LIABILITY INSURANCE FOR PEST CONTROL OPERATORS", was referred to the Committee on Legislative Management.

At 12:19 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 12:24 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Blair and Kim.

Representatives Bunda and Shito, for the Committees on Health and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 1164) recommending that H.R. No. 410, as amended in HD1, be referred to the Committee on Legislative Management.

On motion by Representative Cachola, seconded by Representative Shito and carried, the joint report of the Committees was adopted and H.R. No. 410, HD1, entitled: "HOUSE RESOLUTION RELATING TO A STUDY OF MEDICAL PROFESSIONAL LIABILITY INSURANCE BY THE HOUSE COMMITTEES ON HEALTH AND CONSUMER PROTECTION AND COMMERCE", was referred to the Committee on Legislative Management.

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. 1165) recommending that H.R. No. 421, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Apo, seconded by Representative Say and carried, the joint report of the Committees was adopted and H.R. No. 421, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE CORPS OF ENGINEERS TO CONDUCT A STUDY ON BEACH EROSION FOR THE NEIGHBOR ISLANDS", was referred to the Committee on Finance.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1166) recommending that H.R. No. 347, as amended in HD1, 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.R. No. 347, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SEA GRANT COLLEGE PROGRAM TO STUDY THE IDEA OF DEVELOPING A COMMERCIAL FISHERMAN'S HANDBOOK", was referred to the Committee on Finance.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1167) recommending that H.R. No. 435, as amended in HD1, 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.R. No. 435, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF DESIGNATING KAWELA BAY AS A MARINE LIFE CONSERVATION DISTRICT", was referred to the Committee on Finance.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1168) recommending that H.C.R. No. 151, as amended in HD1, 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. 151, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF DESIGNATING KAWELA BAY AS A MARINE LIFE CONSERVATION DISTRICT", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep.

No. 1169) recommending that H.R. No. 409 be referred to the Committee on Legislative Management.

On motion by Representative Hashimoto, seconded by Representative Cachola and carried, the report of the Committee was adopted and H.R. No. 409, entitled: "HOUSE RESOLUTION REQUESTING THE HOUSE COMMITTEE ON HOUSING TO STUDY PRESENT POLICIES AND LAWS OF HAWAII AND THEIR IMPACT ON HOUSING", was referred to the Committee on Legislative Management.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1170) recommending that S.C.R. No. 30 be adopted.

On motion by Representative Say, seconded by Representative Tam and carried, the report of the Committee was adopted and S.C.R. No. 30, entitled: "SENATE 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 KAHUALE'A WITH THE ADJACENT STATE-OWNED LANDS FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT OF GEOTHERMAL RESOURCES ON THE EXCHANGED STATE LANDS", was adopted.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1171) recommending that H.R. No. 259, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Oshiro, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 259, HD1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ADOPT SPECIAL AREA RULES GOVERNING THE USE OF JET SKIS IN MAUNALUA BAY", was referred to the Committee on Finance.

At 12:27 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 12:42 o'clock p.m.

Representative Bunda, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1172) recommending that H.C.R. No. 131 be adopted.

On motion by Representative Bunda, seconded by Representative Kihano and carried, H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING MAY, 1985, AS BETTER HEARING AND SPEECH MONTH", was adopted.

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 Final Reading on the basis of a modified consent calendar.

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

By unanimous consent, H.B. Nos. 614, HD1, SD1; 1131, HD2, SD1; 214, HD1, SD1; 522, HD1, SD1; and 1166, HD2, SD1, were taken from the Clerk's desk.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 614, HD1, and H.B. No. 614, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 614 had passed Final Reading at 12:44 o'clock p.m.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1131, HD1, and H.B. No. 1131, HD1, SD1, having been read throughout, passed Final Reading by a vote of 49 ayes, to 1 no with Representative Grauly voting no, and Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 1131 had passed Final Reading at 12:45 o'clock p.m.

On motion by Representative Yoshimura, seconded by Representative Honda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 214, HD1, and H.B. No. 214, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 214 had passed Final Reading at 12:45 o'clock p.m.

On motion by Representative Yoshimura, seconded by Representative Kim and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 522, HD1, and H.B. No. 522, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 522 had passed Final Reading at 12:46 o'clock p.m.

On motion by Representative Menor, seconded by Representative Blair and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1166, HD2, and H.B. No. 1166, HD2, SD1, having been read throughout, passed Final Reading by a vote of 49 ayes, to 1 no with Representative Pfeil voting no, and with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 1166 had passed Final Reading at 12:47 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 reconsidering action previously taken on certain House bills.

RECONSIDERATION OF ACTION TAKEN

Representative Yoshimura moved that the House reconsider its action taken in disagreeing to the amendments proposed by the Senate to H.B. No. 824, HD1, seconded by Representative Kim and carried.

Representative Yoshimura then gave notice of his intent to agree to the amendments proposed by the Senate to H.B. No. 824, HD1.

Representative Say moved that the House reconsider its action taken in disagreeing to the amendments proposed by the Senate to H.B. No. 153, seconded by Representative Tam and carried.

Representative Say then gave notice of his intent to agree to the amendments proposed by the Senate to H.B. No. 153.

The Chair dismissed Representatives Say, Tom, Souki, Crozier, Honda, Kihano, Nakata, Tam, Isbell and Kamali'i as Managers on the part of the House for the consideration of H.B. No. 153.

Representative Say moved that the House reconsider its action taken in disagreeing to the amendments proposed by the Senate to H.B. No. 194, HD1, seconded by Representative Metcalf and carried.

Representative Say then gave notice of his intent to agree to the amendments proposed by the Senate to H.B. No. 194, HD1.

The Chair dismissed Representatives Say, Metcalf, Apo and Pfeil as Managers on the part of the House for the consideration of H.B. No. 194, HD1.

At 12:51 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:55 o'clock p.m.

ANNOUNCEMENTS

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

Representative Say: "May I request the waiver of the 48-hour public hearing notice on H.R. No. 422 and H.R. No. 432 and the Chair "so ordered."

"The Water, Land Use Development and Hawaiian Affairs Committee will follow the public hearing tomorrow morning of the Planning, Energy and Environmental Protection and Agriculture Committees."

Representative Metcalf: "Your Committee on Judiciary will be having a hearing this afternoon at 1:30 in Room 328 to consider certain foreign policy matter, specifically apartheid."

Representative Andrews: "Your Committee on Planning, Energy and Environmental Protection jointly with the Committee on Water, Land Use Development and Hawaiian Affairs will be having a public hearing tomorrow on one Senate Concurrent Resolution and your Committee on Planning, Energy and Environmental Protection by itself, will be having a hearing on one Senate Concurrent Resolution and one other resolution at 9:00 in Room 328."

Representative Shito: "The conferees on H.B. No. 40 will meet this afternoon at 1:30 in Room 416."

Representative Souki: "I wish to advise the conferees on Finance to make themselves available today."

The Chair stated: "Conferees on the part of the House on all measures in conference shall avail themselves and make themselves available."

At 12:57 o'clock p.m., the Chair declared the House in recess and the Journal to remain open, for the purpose of receiving all Conference Committee reports.

CONFERENCE COMMITTEE REPORTS

Representatives Andrews and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 149, SD1, HD1, presented a report (Conf. Com. Rep. No. 31) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 31 on S.B. No. 149, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 149, SD1, HD1, CD1, were made available to the members of the House at 1:00 o'clock p.m.

Representatives Tom and Kihano, for the Committee on Conference

on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1358, SD1, HD2, presented a report (Conf. Com. Rep. No. 32) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 32 on S.B. No. 1358, SD1, HD2, CD1, was deferred, 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, CD1, were made available to the members of the House at 1:00 o'clock p.m.

Representatives Andrews, Say and Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 615, SD1, HD2, presented a report (Conf. Com. Rep. No. 33) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 33 on S.B. No. 615, SD1, HD2, CD1, was deferred, 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, CD1, were made available to the members of the House at 1:00 o'clock p.m.

Representatives Tajiri and Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 460, SD2, HD2, presented a report (Conf. Com. Rep. No. 34) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 34 on S.B. No. 460, SD2, HD2, CD1, was deferred, 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, CD1, were made available to the members of the House at 1:00 o'clock p.m.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 459, SD2, HD2, presented a report (Conf. Com. Rep. No. 35) recommending to

their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 35 on S.B. No. 459, SD2, HD2, CD1, was deferred, 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, CD1, were made available to the members of the House at 1:00 o'clock p.m.

Representatives Grauly and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1285, HD2, SD1, presented a report (Conf. Com. Rep. No. 36) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 36 on H.B. No. 1285, HD2, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1285, HD2, SD1, CD1, were made available to the members of the House at 3:00 o'clock p.m.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 461, SD1, HD1, presented a report (Conf. Com. Rep. No. 37) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 37 on S.B. No. 461, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 461, SD1, HD1, CD1, were made available to the members of the House at 3:00 o'clock p.m.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 253, SD1, HD1, presented a report (Conf. Com. Rep. No. 38) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, considera-

tion of Conf. Com. Rep. No. 38 on S.B. No. 253, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 253, SD1, HD1, CD1, were made available to the members of the House at 3:00 o'clock p.m.

Representatives Andrews and Bunda, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1231, HD2, SD1, presented a report (Conf. Com. Rep. No. 39) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 39 on H.B. No. 1231, HD2, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1231, HD2, SD1, CD1, were made available to the members of the House at 3:30 o'clock p.m.

Representative Yoshimura, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 462, SD1, HD1, presented a report (Conf. Com. Rep. No. 40) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 40 on S.B. No. 462, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 462, SD1, HD1, CD1, were made available to the members of the House at 3:30 o'clock p.m.

Representatives Yoshimura and Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1413, SD1, HD1, presented a report (Conf. Com. Rep. No. 41) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 41 on S.B. No. 1413, SD1, HD1, CD1, was deferred, 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, CD1, were made available to the members of the House at 3:30 o'clock p.m.

Representatives Tom and Takamine, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 610, SD1, HD1, presented a report (Conf. Com. Rep. No. 42) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 42 on S.B. No. 610, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 610, SD1, HD1, CD1, were made available to the members of the House at 5:00 o'clock p.m.

Representatives Andrews and Honda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1353, SD1, HD1, presented a report (Conf. Com. Rep. No. 43) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 43 on S.B. No. 1353, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1353, SD1, HD1, CD1, were made available to the members of the House at 5:00 o'clock p.m.

Representatives Shito and Crozier, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 229, HD2, SD1, presented a report (Conf. Com. Rep. No. 44) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 44 on H.B. No. 229, HD2, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 229, HD2, SD1, CD1, were made available to the members of the House at 6:00 o'clock p.m.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 557, HD1, SD1, presented a report (Conf. Com. Rep. No. 45) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 45 on H.B. No. 557, HD1, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 557, HD1, SD1, CD1, were made available to the members of the House at 6:00 o'clock p.m.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 995, HD2, SD1, presented a report (Conf. Com. Rep. No. 46) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 46 on H.B. No. 995, HD2, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 995, HD2, SD1, CD1, were made available to the members of the House at 6:00 o'clock p.m.

Representative Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 453, HD1, SD1, presented a report (Conf. Com. Rep. No. 47) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 47 on H.B. No. 453, HD1, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 453, HD1, SD1, CD1, were made available to the members of the House at 8:30 o'clock p.m.

Representative Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 854, SD1, HD1,

presented a report (Conf. Com. Rep. No. 48) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 48 on S.B. No. 854, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 854, SD1, HD1, CD1, were made available to the members of the House at 8:30 o'clock p.m.

Representatives Shito and Hashimoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 932, SD1, HD1, presented a report (Conf. Com. Rep. No. 49) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 49 on S.B. No. 932, SD1, HD1, CD1, was deferred, 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, CD1, were made available to the members of the House at 9:30 o'clock p.m.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 201, SD1, HD1, presented a report (Conf. Com. Rep. No. 50) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 50 on S.B. No. 201, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 201, SD1, HD1, CD1, were made available to the members of the House at 9:30 o'clock p.m.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 40, SD1, presented a report (Conf. Com. Rep. No. 51) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 51 on H.B. No. 40, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 40, SD1, CD1, were made available to the members of the House at 9:30 o'clock p.m.

Representatives Shito and Hashimoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 224, HD1, presented a report (Conf. Com. Rep. No. 52) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 52 on S.B. No. 224, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 224, HD1, CD1, were made available to the members of the House at 9:30 o'clock p.m.

Representatives Shito and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 347, HD1, SD1, presented a report (Conf. Com. Rep. No. 53) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 53 on H.B. No. 347, HD1, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 347, HD1, SD1, CD1, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1, HD1, SD1, presented a report (Conf. Com. Rep. No. 54) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 54 on H.B. No. 1, HD1, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the

Constitution of the State of Hawaii, printed copies of H.B. No. 1, HD1, SD1, CD1, were made available to the members of the House at 11:43 o'clock p.m.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 539, SD1, HD1, presented a report (Conf. Com. Rep. No. 55) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 55 on S.B. No. 539, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 539, SD1, HD1, CD1, were made available to the members of the House at 11:45 o'clock p.m.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 309, SD1, HD1, presented a report (Conf. Com. Rep. No. 56) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 56 on S.B. No. 309, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 309, SD1, HD1, CD1, were made available to the members of the House at 11:45 o'clock p.m.

Representatives Shito and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 726, SD2, HD2, presented a report (Conf. Com. Rep. No. 57) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, considera-

tion of Conf. Com. Rep. No. 57 on S.B. No. 726, SD2, HD2, CD1, was deferred, 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, CD1, were made available to the members of the House at 11:45 o'clock p.m.

Representatives Shito and Tajiri, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 665, SD1, HD2, presented a report (Conf. Com. Rep. No. 58) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 58 on S.B. No. 665, SD1, HD2, CD1, was deferred, 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, CD1, were made available to the members of the House at 11:45 o'clock p.m.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 588, SD1, HD1, presented a report (Conf. Com. Rep. No. 59) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 59 on S.B. No. 588, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 588, SD1, HD1, CD1, were made available to the members of the House at 11:45 o'clock p.m.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 18, 1985.

FIFTY-NINTH DAY

Thursday, April 18, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by Major Roy Oswandel, Chaplain of the United States Army, after which the Roll was called showing all members present with the exception of Representatives Grauly and Peters, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 97 to 106) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 97) transmitting copies of a report prepared by the Department of Planning and Economic Development on its loan programs, as required under the following statutes:

Section 210-8, HRS, requires an annual report on the progress made under Chapter 210, the Hawaii Capital Loan Program;

Section 189-26, HRS, requires an annual report on the progress made under Chapter 189, Part II, the Large Fishing Vessel Purchase, Construction, Renovation, Maintenance and Repair Loan Program;

Section 189-46, HRS, requires an annual report on the progress made under Chapter 189, Part IV, the Hawaii Small Fishing Vessel Loan Program;

Section 209-5, HRS, requires an annual report from the Rehabilitation Coordinator. However, since DPED administers the Disaster Commercial and Personal Loan Program, an annual report on its progress is presented; and

Chapter 211E, HRS, does not require an annual report, however, DPED included the Hawaii Invention Development Loan Program as part of their loan annual report.

The separate reports have been consolidated into a single presentation and cover the calendar year ending December 31, 1984.

A message from the Governor (Gov. Msg. No. 98) transmitting copies of a report on the delegation of CIP projects for the calendar period ending December 31, 1984, in accordance with Section 103, Act 301, SLH 1983, was placed on file.

A message from the Governor (Gov. Msg. No. 99) transmitting copies of the report prepared by the Department of Health in response to Act 285, Section 17 C, a functional and financial plan for Waimano Training School and Hospital and the Family Health Services Division, was placed on file.

A message from the Governor (Gov. Msg. No. 100) transmitting copies of a report concerning the feasibility of establishing a major convention center in Hawaii, prepared by Pannell Kerr Forster for the Department of Planning and Economic Development, in response to House Concurrent Resolution No. 130 and House Resolution No. 67, H.D. 2, was placed on file.

A message from the Governor (Gov. Msg. No. 101) transmitting copies of the most recent promotional brochure of Hawaii Foreign-Trade Zone No. 9, Department of Planning and Economic Development, was placed on file.

A message from the Governor (Gov. Msg. No. 102) transmitting copies of the reports, State Activities to Implement Priority Guidelines of The Hawaii State Plan, March 1985, and County Activities to Implement Priority Guidelines of The Hawaii State Plan, March 1985. These reports are separate attachments to the State Plan Policy Council Progress Report on Activities Conducted in Furtherance of The Hawaii State Plan, January 1985, which was forwarded earlier, was placed on file.

A message from the Governor (Gov. Msg. No. 103) transmitting copies of a Status Report on the Comprehensive Review of the Hawaii State Plan which includes the following: 1985 Hawaii State Plan Comprehensive Review: Preliminary Findings and Recommendations and five technical studies covering the areas of population, economy, physical environmental facility systems, and socio-cultural

advancement, was placed on file.

A message from the Governor (Gov. Msg. No. 104) transmitting copies of the report in response to Senate Resolution No. 129, urging the assessment of implementing proposed administrative rules on underground injection control, prepared by the Department of Health, was placed on file.

A message from the Governor (Gov. Msg. No. 105) transmitting copies of The Utilization of Nurses in Small Intermediate Care Homes, prepared by the Department of Social Services and Housing and the Department of Health in response to Senate Resolution No. 102, was placed on file.

A message from the Governor (Gov. Msg. No. 106) transmitting copies of a report prepared by the Governor's Advisory Council on Foreign Language and International Studies, was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 634 to 672) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 634) returning House Concurrent Resolution No. 16, HD 1, requesting the Governor's Corrections Task Force to present an updated report on the progress of the U.S. Department of Justice's criticisms regarding the Oahu Community Correctional Facility and the State's responses thereto, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 635) returning House Concurrent Resolution No. 38, HD 1, relating to the State Education Functional Plan, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 636) returning House Concurrent Resolution No. 92, HD 1, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 637) returning House Concurrent Resolution No. 103, HD 1, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 638) transmitting

Senate Concurrent Resolution No. 19, requesting a comprehensive review of Hawaii insurance laws, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 639) transmitting Senate Concurrent Resolution No. 22, SD 1, requesting a study of constraints on the beneficial uses of statewide forest resources, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 640) transmitting Senate Concurrent Resolution No. 29, recognizing 1985 as the International Youth Year (IYY) in accordance with the declaration of the United Nations, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 641) transmitting Senate Concurrent Resolution No. 31, requesting that ceded lands be made available to the Office of Hawaiian Affairs, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 642) transmitting Senate Concurrent Resolution No. 32, SD 1, requesting the Department of Transportation to adopt rules governing commercial jet ski use throughout the State, which was adopted by the Senate on April 17, 1985, was placed on file.

By unanimous consent, further action on S.C.R. Nos. 19; 22, SD 1; 29; 31 and 32, SD 1, was deferred.

A communication from the Senate (Sen. Com. No. 643) returning House Concurrent Resolution No. 33, HD 1, 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 the irradiation treatment of tropical produce, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 644) transmitting Senate Concurrent Resolution No. 37, SD 1, requesting a study of deregulation of the interisland barge system, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 645) transmitting

Senate Concurrent Resolution No. 38, SD 1, requesting the Department of Agriculture and the Department of Land and Natural Resources to recommend alternative concepts for the management of the agricultural parks program, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 646) transmitting Senate Concurrent Resolution No. 39, SD 1, requesting the College of Tropical Agriculture and Human Resources of the University of Hawaii and the Department of Planning and Economic Development to study the need for post-harvest treatment facilities for the papaya industry and other Hawaiian grown agricultural crops, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 647) transmitting Senate Concurrent Resolution No. 50, SD 1, requesting the Public Utilities Commission to study the impact of higher residential telephone service rates, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 648) transmitting Senate Concurrent Resolution No. 65, SD 1, requesting the Legislative Auditor to study problems relating to the procedures now followed in compensating witnesses subpoenaed to testify in criminal proceedings, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 649) transmitting Senate Concurrent Resolution No. 66, urging a study on the feasibility of designating the waters of Makaiwa Bay, South Kohala, Hawaii, as a marine life conservation district, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 650) transmitting Senate Concurrent Resolution No. 67, requesting a study on the feasibility of establishing a Hawaii Island Transportation Authority, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 651) transmitting Senate Concurrent Resolution No. 73, requesting the Attorney General to file an amicus curiae brief to the lawsuit challenging the federal

minimum drinking age legislation, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 652) transmitting Senate Concurrent Resolution No. 77, requesting the Department of Education to critically examine the apparently adverse impact of the school attendance area designation for the Village Park, Crestview, and Waipio-Gentry subdivisions, specifically, and the Waipahu and Pearl City communities, generally, upon the provision of equal educational opportunities, particularly in the Waipahu educational complex, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 653) transmitting Senate Concurrent Resolution No. 82, requesting the Department of Land and Natural Resources to undertake a feasibility study for the establishment of a major public information and education program, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 654) transmitting Senate Concurrent Resolution No. 86, SD 1, requesting a study of and workshop on tort laws, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 655) transmitting Senate Concurrent Resolution No. 87, SD 1, requesting the Department of Accounting and General Services to study the possibility of using the Richards and Hotel Street City parking garage for State or joint State and City parking as an alternative to parking on the Iolani Palace grounds, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 656) transmitting Senate Concurrent Resolution No. 89, SD 1, urging the Board of Trustees of the Bishop Estate and the Department of Education to further refine the statement of understanding between the Department of Education and the Kamehameha Schools/Bernice Pauahi Bishop Estate, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 657) transmitting Senate Concurrent Resolution No. 90, requesting a study on the feasibility of the Office of Hawaiian Affairs

assuming responsibility for the support and management of the Department of Education's Hawaiian Studies Kupuna Program, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 658) transmitting Senate Concurrent Resolution No. 91, requesting the Department of Education and the Kamehameha Schools to further establish cooperative programs that utilize the resources of the Kamehameha Schools and the institutional capabilities of the Department of Education to provide educational opportunities to Hawaiian and part Hawaiian children and youth, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 659) transmitting Senate Concurrent Resolution No. 92, SD 1, urging the United States Navy to select Pearl Harbor, Hawaii, as the homeport for a battleship and nine associated ships, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 660) transmitting Senate Concurrent Resolution No. 93, requesting a study on alternatives for the continued use of Holualoa Library, Hawaii, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 661) transmitting Senate Concurrent Resolution No. 95, SD 1, recognizing the upcoming 200th anniversary of the arrival of the first Chinese to Hawaii and requesting the establishment of a commission to coordinate activities commemorating the anniversary, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 662) transmitting Senate Concurrent Resolution No. 101, requesting the establishment of an institute for peace technology, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 663) transmitting Senate Concurrent Resolution No. 103, SD 1, requesting the Department of Planning and Economic Development to expedite geothermal development, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate

(Sen. Com. No. 664) transmitting Senate Concurrent Resolution No. 107, 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, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 665) transmitting Senate Concurrent Resolution No. 108, SD 1, requesting a study of the possible replacement of the ad valorem liquor tax with a gallonage liquor tax, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 666) transmitting Senate Concurrent Resolution No. 109, SD 1, inviting the Pacific Area Travel Association (PATA) to Hawaii for its 1989 annual conference, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 667) transmitting Senate Concurrent Resolution No. 113, SD 1, requesting that the Department of Personnel Services review and amend their rules relating to veteran's preference, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 668) transmitting Senate Concurrent Resolution No. 115, SD 1, establishing a planning committee to develop a program plan and organizational structure for a Department of Environmental Affairs, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 669) transmitting Senate Concurrent Resolution No. 120, requesting the House of Representatives and the Senate to conduct a joint interim study on the proposed revisions to the Hawaii Penal Code, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 670) transmitting Senate Concurrent Resolution No. 122, SD 1, requesting the convening of the Hawaii Congress on Family Law to study the laws relating to the family and family relationships, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate

(Sen. Com. No. 671) transmitting Senate Concurrent Resolution No. 126, urging that the Postmaster General forego any intention of closing various post offices on Kauai, which was adopted by the Senate on April 17, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 672) transmitting Senate Concurrent Resolution No. 134, 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 crucial problem, which was adopted by the Senate on April 17, 1985, was placed on file.

By unanimous consent, further action on S.C.R. Nos. 37, SD 1; 38, SD 1; 39, SD 1; 50, SD 1; 65, SD 1; 66; 67; 73; 77; 82; 86, SD 1; 87, SD 1; 89, SD 1; 90; 91; 92, SD 1; 93; 95, SD 1; 101; 103, SD 1; 107; 108, SD 1; 109, SD 1; 113, SD 1; 115, SD 1; 120; 122, SD 1; 126 and 134 was deferred.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

A communication from Everett Rank, Administrator, United States Department of Agriculture (Misc. Com. No. 1) acknowledging receipt of a copy of House Resolution No. 39, relating to the sugar price support program, was placed on file.

A communication from the Honorable Spark Matsunaga, United States Senator (Misc. Com. No. 2) acknowledging receipt of a copy of House Resolution No. 97, relating to the opposition of the implementation of the Tri-Fly Eradication Program as proposed by the Animal and Plant Health Inspection Service (APHIS), was placed on file.

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

Representative Hagino introduced 80 fifth grade students from Ala Wai School. They were accompanied by their teacher, Mrs. Fujiwara.

Representative Jones introduced 53 eighth grade students from the Hawaii Baptist Academy. They were accompanied by their teachers, Miss Jan Waggoner, Miss Sarah Case and Miss

Jane Mirikitani.

Representative Marumoto then asked Kehaulani Jones, daughter of Representative Jones, one of the students from the Hawaii Baptist Academy, to stand and be recognized.

Representative Kawakami introduced 15 students from three high schools on Kauai. They were accompanied by Mrs. Shirley Akita, Kauai District Coordinator of the Program; Mrs. Janice Nitta, teacher at Waimea High School; Mrs. Jane Awa, teacher at Kauai High School; and Mr. Allen Yamada, teacher at Kapaa High School.

Representative Liu introduced a group of students from the Academy of the Pacific. They were accompanied by their teacher, Mr. Ken Kendall.

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

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

The Chair then directed the Clerk to note the presence of Representative Gaulty.

ORDER OF THE DAY

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.

At this time, Conference Committee Report No. 20 and H.B. No. 1393, HD 2, SD 1, CD 1, were recommitted to the Committee on Conference.

The following Conference Committee Reports and accompanying bills, awaiting the expiration of the 48-hour period prior to Final Reading, were deferred one day:

Conf. Com. Rep. No. 1 on S.B. No. 153, SD 1, HD 2, CD 1.

Conf. Com. Rep. No. 2 on S.B. No. 702, SD 2, HD 2, CD 1.

Conf. Com. Rep. No. 3 on H.B. No. 268, SD 1, CD 1.

Conf. Com. Rep. No. 4 on H.B. No. 188, SD 1, CD 1.

Conf. Com. Rep. No. 5 on H.B. No. 1162, HD 1, SD 1, CD 1.

Conf. Com. Rep. No. 6 on H.B. No. 1386, SD 1, CD 1.

Conf. Com. Rep. No. 7 on S.B. No. 1186, SD 2, HD 1, CD 1.

Conf. Com. Rep. No. 8 on S.B. No. 1224, SD 1, HD 1, CD 1.

Conf. Com. Rep. No. 9 on S.B.

No. 90, SD 1, HD 1, CD 1.

Conf. Com. Rep. No. 10 on S.B. No. 93, HD 1, CD 1.

Conf. Com. Rep. No. 11 on H.B. No. 488, HD 1, SD 1, CD 1.

Conf. Com. Rep. No. 12 on H.B. No. 266, HD 1, SD 1, CD 1.

Conf. Com. Rep. No. 13 on H.B. No. 49, HD 2, SD 2, CD 1.

Conf. Com. Rep. No. 14 on H.B. No. 101, HD 1, SD 2, CD 1.

Conf. Com. Rep. No. 15 on S.B. No. 1408, SD 2, HD 1, CD 1.

Conf. Com. Rep. No. 16 on H.B. No. 28, HD 1, SD 1, CD 1.

Conf. Com. Rep. No. 17 on H.B. No. 89, HD 1, SD 2, CD 1.

Conf. Com. Rep. No. 18 on H.B. No. 104, HD 2, SD 1, CD 1.

Conf. Com. Rep. No. 19 on H.B. No. 830, HD 1, SD 1, CD 1.

Conf. Com. Rep. No. 21 on H.B. No. 519, SD 1, CD 1.

Conf. Com. Rep. No. 22 on S.B. No. 78, SD 1, HD 2, CD 1.

Conf. Com. Rep. No. 23 on S.B. No. 133, SD 1, HD 1, CD 1.

Conf. Com. Rep. No. 24 on S.B. No. 249, SD 1, HD 1, CD 1.

Conf. Com. Rep. No. 25 on S.B. No. 1264, SD 1, HD 1, CD 1.

Conf. Com. Rep. No. 26 on H.B. No. 329, HD 1, SD 2, CD 1.

Conf. Com. Rep. No. 27 on H.B. No. 1257, SD 1, CD 1.

Conf. Com. Rep. No. 28 on H.B. No. 165, SD 1, CD 1.

Conf. Com. Rep. No. 29 on H.B. No. 776, HD 2, SD 1, CD 1.

Conf. Com. Rep. No. 30 on H.B. No. 436, HD 2, SD 2, CD 1.

STANDING COMMITTEE REPORTS

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1173) recommending that S.B. No. 1297, SD 1, 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. 1297, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1174) recommending that H.R. No. 327, as amended in HD 1, be adopted.

Representative Kamali'i rose to speak in favor of the resolution, stating:

"You know, I am absolutely thrilled that this Legislature has finally seen fit to honor Duke Kahanamoku with this resolution. I hope that the nation will so honor him by issuing the commemorative stamp in conjunction with the Olympic Games of 1988. I call upon my colleagues here to not just let this resolution be it. I ask you with all sincerity to write a letter to Congress and to the Postmaster General, to start petition.

"This is a man that has given much honor to our State, and I call upon the students that are sitting there in the gallery to take this to your classrooms and write to the proper people so that we might again honor a man who has given so much of that keiki o ka aina that we must not forget.

"Thank you, Mr. Speaker."

Representative Hagino rose and stated:

"Mr. Speaker, I, too, rise to speak in favor of this resolution and just by way of information, there is a Citizens' Advisory Committee that makes the recommendations for commemorative stamps and their recommendations are highly valued when these selections are made and on the Advisory Committee, we have a person who is a former resident of Hawaii -- author James Michener. And I think if the students are willing to write letters, some of these letters can be directed to Mr. Michener. He is aware that Hawaii is considering recommending that Duke Kahanamoku be so honored, and I think some of the letters from the students would be of great weight in this determination."

Representative Say rose and stated:

"Mr. Speaker, I, too, rise to speak in favor of this resolution but there is only one concern that I had that I did propose to the sponsor of this resolution was that, in January of 1986, I hope this resolution will be a House Concurrent Resolution that is adopted by both houses so that it will have much more emphasis than what we have adopted here this afternoon.

"And to make a long story short, with the sponsor Representative Hemmings, I know he is a professional surfer but not a professional baseball player.

"Thank you."

On motion by Representative Hemmings, seconded by Representative Tam and carried, the report of the Committee was adopted and H.R. No. 327, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE UNITED STATES POSTAL SERVICE ISSUE A COMMEMORATIVE STAMP HONORING DUKE KAHANAMOKU IN CONJUNCTION WITH AMERICA'S PARTICIPATION IN THE 1988 OLYMPICS GAMES", was adopted.

Representative Gaulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1175) recommending that H.C.R. No. 62, as amended in HD 1, be adopted.

On motion by Representative Leong, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.C.R. No. 62, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING 1985 AS THE INTERNATIONAL YOUTH YEAR (IYY) IN ACCORDANCE WITH THE DECLARATION OF THE UNITED NATIONS", was adopted.

Representative Menor, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 1176) recommending that H.R. No. 355, as amended in HD 1, be adopted.

On motion by Representative Menor, seconded by Representative Blair and carried, the report of the Committee was adopted and H.R. No. 355, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF ALTERNATIVE DETENTION FACILITIES FOR ILLEGAL ALIENS IN THE STATE", was adopted.

Representative Levin, for the Committee on Higher Education and the Arts, presented a report (Stand.

Com. Rep. No. 1177) recommending that S.C.R. No. 62 be adopted.

On motion by Representative Levin, seconded by Representative Onouye and carried, the report of the Committee was adopted and S.C.R. No. 62, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE LAW OF THE SEA INSTITUTE", was adopted.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1178) recommending that H.R. No. 333 be adopted.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.R. No. 333, entitled: "HOUSE RESOLUTION 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 adopted.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1179) recommending that H.R. No. 353 be adopted.

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.R. No. 353, entitled: "HOUSE RESOLUTION REQUESTING THE ENCOURAGEMENT OF INCREASED USE OF CABLE TELEVISION'S PUBLIC ACCESS TECHNOLOGY", was adopted.

Representative Bunda, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1180) recommending that H.R. No. 130 be adopted.

On motion by Representative Bunda, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.R. No. 130, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE NEED FOR MORE SANITARY FACILITIES IN COMMERCIAL BUILDINGS AND ESTABLISHMENTS OPEN TO THE PUBLIC", was adopted.

Representatives Apo, Say and Bunda, for the Committees on Ocean and Marine Resources; Water, Land Use Development and Hawaiian Affairs; and Health, presented a joint

report (Stand. Com. Rep. No. 1181) recommending that H.C.R. No. 40, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Say and carried, the joint report of the Committees was adopted and H.C.R. No. 40, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, PACIFIC OCEAN DIVISION, HAWAII, TO INCORPORATE AQUACULTURE OUTFALLS AND RELATED STRUCTURES AND APPURTENANCES UNDER THE GENERAL (REGIONAL) PERMIT SYSTEM OF THE UNITED STATES CLEAN WATER ACT", was adopted.

Representatives Nakasato and Levin, for the Committees on Tourism and Higher Education and the Arts, presented a joint report (Stand. Com. Rep. No. 1182) recommending that H.R. No. 365, as amended in HD 1, be adopted.

On motion by Representative Nakasato, seconded by Representative Levin and carried, the joint report of the Committees was adopted and H.R. No. 365, HD 1, entitled: "HOUSE RESOLUTION 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 adopted.

Representatives Nakasato and Levin, for the Committees on Tourism and Higher Education and the Arts, presented a joint report (Stand. Com. Rep. No. 1183) recommending that H.C.R. No. 124, as amended in HD 1, be adopted.

On motion by Representative Nakasato, seconded by Representative Levin and carried, the joint report of the Committees was adopted and H.C.R. No. 124, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION 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 adopted.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1184) recommending that H.C.R. No. 141, as amended in HD 1, 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. 141, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION 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 adopted.

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. 1185) recommending that H.R. No. 366 be adopted.

On motion by Representative Apo, seconded by Representative Levin and carried, the joint report of the Committees was adopted and H.R. No. 366, entitled: "HOUSE RESOLUTION RELATING TO THE COMMENDATION OF THE UNIVERSITY OF HAWAII SEA GRANT COLLEGE PROGRAM", was adopted.

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. 1186) recommending that H.C.R. No. 125 be adopted.

On motion by Representative Apo, seconded by Representative Levin and carried, the joint report of the Committees was adopted and H.C.R. No. 125, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE COMMENDATION OF THE UNIVERSITY OF HAWAII SEA GRANT COLLEGE PROGRAM", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1187) recommending that S.B. No. 561 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. 561, entitled: "A BILL FOR AN ACT RELATING TO INCOME 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. 1188) recommending that H.R. No. 243 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 243, entitled: "HOUSE RESOLUTION REQUESTING AN EPIDEMIOLOGICAL STUDY TO DETERMINE WHY LANAI AND MOLOKA'I HAVE EXTRAORDINARILY HIGH RATES OF BIRTH DEFECTS", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1189) recommending that H.R. No. 176 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 176, entitled: "HOUSE RESOLUTION REQUESTING THE SUBMISSION OF PLANS BY THE POLICE DEPARTMENTS OF THE SEVERAL COUNTIES TO NOTIFY PERSONS WHO MAY BE ENTITLED TO COMPENSATION OR INDEMNIFICATION UNDER THE CRIMINAL INJURIES COMPENSATION ACT", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1190) recommending that H.R. No. 298, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 298, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INVESTIGATE THE PROBLEMS RELATING TO THE USE OF SHOREWATERS AND BEACHES OF THE NORTH SHORE OF KAUAI AND TO DEVELOP A MANAGEMENT PLAN TO ENSURE THE ORDERLY USE THEREOF", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1191) recommending that H.R. No. 53, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 53, HD 1, entitled: "HOUSE RESOLUTION REQUESTING INFORMATION ON CURRENT HAZARDOUS WASTE MANAGEMENT PRACTICES", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1192)

recommending that H.R. No. 271, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 271, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE FIRE COUNCIL TO STUDY THE FEASIBILITY OF USING AIRCRAFT FOR FIRE FIGHTING IN THIS STATE", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1193) recommending that H.R. No. 242, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 242, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A DETERMINATION OF THE SOURCE OF PESTICIDE CONTAMINATION OF MAUI WELLS", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1194) recommending that H.R. No. 52 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 52, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A FIVE-YEAR HAZARDOUS WASTE PLAN", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1195) recommending that H.R. No. 317, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 317, HD 1, entitled: "HOUSE RESOLUTION 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 adopted.

Representative Kiyabu, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 1196) recommending that H.R. No. 340, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the majority of the Committee was adopted and H.R. No. 340, HD 1, entitled: "HOUSE RESOLUTION 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 adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1197) recommending that H.R. No. 383 be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.R. No. 383, entitled: "HOUSE RESOLUTION CONCERNING THE ESTABLISHMENT OF A RURAL HOUSING PROGRAM FOR THE STATE OF HAWAII", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1198) recommending that H.C.R. No. 88, as amended in HD 2, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.C.R. No. 88, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE OPERATION AND MAINTENANCE PROGRAMS OF ALL PUBLIC BUILDINGS", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1199) recommending that H.C.R. No. 67, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.C.R. No. 67, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A PROGRAM

AND BUDGET REVIEW OF THRIFT GUARANTY CORPORATION", was adopted.

Representative Menor, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 1200) recommending that H.R. No. 82, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Menor, seconded by Representative Blair and carried, the report of the Committee was adopted and H.R. No. 82, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ADMINISTRATIVE DIRECTOR OF COURTS TO PRESENT A REVIEW OF A FORTHCOMING REPORT ON THE FEASIBILITY OF IMPLEMENTING HOME DETENTION AS AN ALTERNATIVE TO INCARCERATION FOR CONVICTED PERSONS", was referred to the Committee on Finance.

Representatives Menor and Yoshimura, for the Committees on Corrections and Rehabilitation and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 1201) recommending that H.R. No. 312 be referred to the Committee on Finance.

On motion by Representative Menor, seconded by Representative Yoshimura and carried, the joint report of the Committees was adopted and H.R. No. 312, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A PROPOSAL TO ESTABLISH A DEPARTMENT OF CORRECTIONS", was referred to the Committee on Finance.

Representatives Menor and Yoshimura, for the Committees on Corrections and Rehabilitation and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 1202) recommending that H.C.R. No. 108 be referred to the Committee on Finance.

Representative Menor rose to speak in favor of both resolutions, stating:

"Basically, Mr. Speaker, these resolutions would request the Department of Social Services and Housing to undertake the development of cost estimates and organizational proposals for the creation of a separate Department of Corrections. I believe that the creation of a separate Department of Corrections may be an idea whose time has come.

"In 1983, a feasibility study was

done by the Department of Corrections and in that study, the Legislative Reference Bureau indicated several arguments favoring the creation of a separate Department of Corrections. These arguments included the economy and efficiency of operations in the corrections area, improved coordination among various criminal justice agencies, and corrections agencies that are oftentimes fragmented, and other arguments were raised, Mr. Speaker, to the extent that the ability of a single executive to deploy a fiscal and personnel resources within a given department could be done so in a flexible manner and an important and immediate decision regarding correctional matters could be made without having to go through human services and welfare bureaucratic channels.

"All of these arguments basically, Mr. Speaker, recognize the fact that the Department of Social Services and Housing is a very large department with many varied functions and that their functions include the administration of welfare and other human services programs which make it difficult at times for the department to focus on correctional matters.

"Therefore, the proponents of a separate Department of Corrections basically are arguing that the creation of a department would streamline administrative efficiency over correctional matters and not simply add another layer of administrative bureaucracy.

"Accordingly, Mr. Speaker, I would respectfully request the Committee on Finance to give favorable consideration to these particular resolutions, given the fact that I think we, as Legislators, should at least receive a concrete proposal during the next legislative session regarding the creation of a separate department which can then be fully debated and intelligently reviewed by this body during the next session.

"In that regard, Mr. Speaker, I would respectfully ask this body to vote in favor of these particular resolutions.

"Thank you very much."

Representative Kamali'i rose to speak in favor of the resolutions, stating:

"Mr. Speaker, I totally concur with the previous speaker with regards to the Department of Corrections having

a separate department.

"Several years ago, I introduced legislation and again, I introduced a bill this year requesting for a separate Department of Corrections. I think it is very obvious to all of us that the Department of Social Services is much too large to adequately perform its responsibilities with regards to corrections. We can't deal with the largeness of housing and welfare and then expect to do a competent job with the Department of Corrections.

"When the public is calling upon the action that it is now put upon us in demanding this happen, we need competent penal people who can run these departments, and I have written to every state with regards to whether they have a separate Department of Corrections or whether they didn't and what were the pitfalls. There certainly would be some and the pitfall that we see now is that they come under the umbrella of another department, and therefore, their budget is really a problem.

"I am very grateful for the Chairman to pursue this, but legislation is in our hopper and I hope that maybe the Judiciary Committee would certainly give the bill a hearing so that we can get the pros and cons on this.

"Thank you very much, Mr. Speaker."

Representative Blair rose and stated:

"Mr. Speaker, a small correction for the record. The Corrections and Rehabilitation Committee did have a hearing on the measure.

"Thank you."

On motion by Representative Menor, seconded by Representative Blair and carried, the report of the Committee was adopted and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PROPOSAL TO ESTABLISH A DEPARTMENT OF CORRECTIONS", was referred to the Committee on Finance.

Representatives Andrews and Bunda, for the Committees on Planning, Energy and Environmental Protection and Health, presented a joint report (Stand. Com. Rep. No. 1203) recommending that H.R. No. 322, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Andrews, seconded by Representative Bunda and carried, the joint report of the Committees was adopted and H.R. No. 322, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON THE MONGOOSE POPULATION IN THE STATE OF HAWAII", was referred to the Committee on Finance.

Representatives Andrews and Bunda, for the Committees on Planning, Energy and Environmental Protection and Health, presented a joint report (Stand. Com. Rep. No. 1204) recommending that H.R. No. 309 be adopted.

On motion by Representative Andrews, seconded by Representative Bunda and carried, the joint report of the Committees was adopted and H.R. No. 309, entitled: "HOUSE RESOLUTION 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 adopted.

Representatives Andrews and Bunda, for the Committees on Planning, Energy and Environmental Protection and Health, presented a joint report (Stand. Com. Rep. No. 1205) recommending that H.C.R. No. 106 be adopted.

On motion by Representative Andrews, seconded by Representative Bunda and carried, the joint report of the Committees was adopted and H.C.R. No. 106, entitled: "HOUSE CONCURRENT RESOLUTION 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 adopted.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1206) recommending that H.R. No. 367, as

amended in HD 1, be adopted.

On motion by Representative Andrews, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.R. No. 367, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO EXTEND THE FEDERAL ENERGY TAX CREDITS FOR THE INSTALLATION OF ENERGY CONSERVING DEVICES", was adopted.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1207) recommending that H.C.R. No. 126, as amended in HD 1, be adopted.

On motion by Representative Andrews, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.C.R. No. 126, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO EXTEND THE FEDERAL ENERGY TAX CREDITS FOR THE INSTALLATION OF ENERGY CONSERVING DEVICES", was adopted.

Representative Bunda, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1208) recommending that H.R. No. 279, as amended in HD 1, be adopted.

On motion by Representative Bunda, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.R. No. 279, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATURE TO STUDY COMPULSIVE GAMBLING AND ITS TREATMENT", was adopted.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1209) recommending that H.R. No. 334, as amended in HD 1, 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 notwithstanding the recommendation of the Committee, H.R. No. 334, HD 1, entitled: "HOUSE RESOLUTION 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 referred to the Committee on Legislative Management.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1210) recommending that H.R. No. 429 be adopted.

On motion by Representative Tungpalan, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 429, entitled: "HOUSE RESOLUTION INFORMING WORKERS OF RIGHT TO KNOW RULES", was adopted.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1211) recommending that S.B. No. 192 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. 192, 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.

Representatives Grauly and Yoshimura, for the Committees on Human Services and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 1212) recommending that H.R. No. 332, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Grauly, seconded by Representative Yoshimura and carried, the report of the Committee was adopted and H.R. No. 332, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE OVERLAPPING FUNCTIONS OF THE STATE AND COUNTIES IN PROVIDING SERVICES FOR SENIOR CITIZENS", was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1213) recommending that H.R. No. 265, as amended in HD 1, be adopted.

On motion by Representative Oshiro, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 265, HD 1, entitled: "HOUSE RESOLUTION DIRECTING STATE

AGENCIES TO COOPERATE IN PREPARING APPROPRIATE STATUTES AND RULES AND REGULATIONS TO PROTECT THE RIGHTS OF PRIVACY AND PROPERTY AGAINST ABUSE OF THE RIGHT OF PUBLIC TRANSIT BY HELICOPTERS", was adopted.

At this time, the Chair referred H.R. No. 434, HD 1, to the Committee on Ocean and Marine Resources solely.

Representative Apo, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 1214) recommending that H.R. No. 434, as amended in HD 1, be adopted.

At 12:31 o'clock p.m., Representative Marumoto asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:33 o'clock p.m., Representative Cavasso rose to speak in favor of the resolution, stating:

"Mr. Speaker, within the testimony at the hearing on this resolution designating outrigger canoe paddling as the official State team sport of Hawaii, we received inspirational uplifting to the moving testimony, and the testimony covered the areas of historical, cultural and athletic achievements.

"One of the things that was brought out was that, today, every afternoon, if we walk out on the beaches of our islands, there are ten thousand paddlers leaving our beaches each afternoon. In 1950, there were only 150 paddlers and four clubs paddling. Today, there are 60 clubs and ten thousand paddlers and it covers all ages of people from 12 years old and below up through novice, experienced paddlers, both men and women, and even the kupunas -- the grandparents, 45 years and above. In fact, testimony came that there was one crew, 55 years and older on one of the other islands.

"This resolution, Mr. Speaker, calls for a bill to be submitted at the next legislative session in 1986, and I am asking for a ceremonial manner that we honor canoe paddling, that we bring historical picture of the islands into it, that possibly we put something on the wall with a camera and show the paddlers the canoes. As we walk down to Waikiki, we can see sometimes 30 canoes lined up altogether as the paddlers hit those

canoes. It's like an Army. And I would like to make it a media event, Mr. Speaker, and work on that this year to prepare for that, both for Hawaii and for the tourists that come here, to make it an event that uplifts the children of our islands and let's take canoe paddling and make it something official of our islands so that canoe paddlers will feel more a part of what is happening here.

"In that hearing, Mr. Speaker, I believe it was the first time that some of those older Hawaiian coaches had been in this place, and it was touching to have them here, and I would like to see them come in more often, and if they feel that we give them the official designation and the official support, they will be more involved in what we are doing here.

"Thank you, Mr. Speaker."

On motion by Representative Apo, seconded by Representative Shon and carried, the report of the Committee was adopted and H.R. No. 434, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DESIGNATION OF OUTRIGGER CANOE PADDLING AS THE OFFICIAL STATE TEAM SPORT", was adopted.

At this time, the Chair re-referred H.C.R. No. 117, HD 1, to the Committee on Planning, Energy and Environmental Protection solely.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1215) recommending that H.C.R. No. 117, as amended in HD 1, be adopted.

On motion by Representative Andrews, seconded by Representative Tom and carried, the report of the Committee was adopted and H.C.R. No. 117, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PROGRAM PLAN AND ORGANIZATIONAL STRUCTURE FOR A DEPARTMENT OF ENVIRONMENTAL AFFAIRS", was adopted.

Representative Graulty, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1216) recommending that H.R. No. 393, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Graulty, seconded by Representative Leong and carried, the report of the Committee was adopted and H.R. No. 393, HD 1, entitled: "HOUSE

RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING TO DEVELOP A MASTER PLAN ON A SINGLE ACCESS SYSTEM FOR MEDICAL CARE AND HOME AND COMMUNITY SERVICES FOR THE ELDERLY", was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1217) recommending that H.C.R. No. 129 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. 129, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FAMILY COURT TO SPECIFY SPOUSE ABUSE AS A FACTOR TO BE CONSIDERED IN DETERMINING CHILD CUSTODY CASES", was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1218) recommending that H.C.R. No. 132 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. 132, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE IMPLEMENTATION OF THE RECOMMENDATIONS CONTAINED IN THE REPORT ON THE INTERSTATE TRANSMISSION OF CRIMINAL JUSTICE DATA AND INFORMATION", was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1219) recommending that H.R. No. 398 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. 398, entitled: "HOUSE RESOLUTION REQUESTING THE IMPLEMENTATION OF THE RECOMMENDATIONS CONTAINED IN THE REPORT ON THE INTERSTATE TRANSMISSION OF CRIMINAL JUSTICE DATA AND INFORMATION", was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1220) recommending that H.R. No. 380 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. 380, entitled: "HOUSE RESOLUTION REQUESTING THE FAMILY COURT TO SPECIFY SPOUSE ABUSE AS A FACTOR TO BE CONSIDERED IN DETERMINING CHILD CUSTODY CASES", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1221) recommending that H.C.R. No. 25 be adopted.

On motion by Representative Hashimoto, seconded by Representative Cachola and carried, the report of the Committee was adopted and H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO EXAMINE AN ALTERNATIVE SUCH AS THE VARIABLE HOUSING ALLOWANCE (VHA) PROGRAM AS A SUBSTITUTE FOR THE 'RENT PLUS' PROGRAM FOR THE MILITARY IN HAWAII", was adopted.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1222) recommending that H.R. No. 134 be adopted.

On motion by Representative Hashimoto, seconded by Representative Cachola and carried, the report of the Committee was adopted and H.R. No. 134, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO EXAMINE AN ALTERNATIVE SUCH AS THE VARIABLE HOUSING ALLOWANCE (VHA) PROGRAM AS A SUBSTITUTE FOR THE 'RENT PLUS' PROGRAM FOR THE MILITARY IN HAWAII", was adopted.

Representatives Hashimoto and Grauly, for the Committees on Housing and Human Services, presented a joint report (Stand. Com. Rep. No. 1223) recommending that H.R. No. 423, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Grauly and carried, the joint report of the Committees was adopted and H.R. No. 423, HD 1, entitled: "HOUSE RESOLUTION 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 adopted.

Representatives Hashimoto and Grauly, for the Committees on Housing and Human Services, presented a joint report (Stand. Com. Rep. No. 1224) recommending that H.C.R. No. 142, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Grauly and carried, the joint report of the Committees was adopted and H.C.R. No. 142, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION 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 adopted.

ANNOUNCEMENTS

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

Representative Tungpalan: "Your Conference Committee on House Bill 464, House Draft 2, Senate Draft 2, relating to workers' compensation will be holding a hearing today in Room 310, at 1:00 p.m."

At 12:39 o'clock p.m., Representative Crozier asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:40 o'clock p.m.

Representative Levin: "Your Conference Committee on two bills affecting higher education -- two Senate bills -- will be held tonight at 8:30 p.m., Room 310."

Representative Shito: "The conferees on Senate Bill 1198 on Thrift Guaranty will meet at 2:00 p.m., Room 310, this afternoon."

Representative Honda: "I would like to announce that the conference will be held with the Senate on House Bill 60, House Draft 2, Senate Draft 2, at 10:00 o'clock tonight in Room 310. This bill refers to the funding of sugar research and development."

Representative Kawakami: "There will be a open Majority caucus tomorrow morning beginning at 8:00 a.m. This is to review all Conference reports."

At 12:42 o'clock p.m., Representative Taniguchi asked for a recess and the Chair declared a recess, subject to the call of the Chair.

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

Representative Yoshimura: "Your conferees will be meeting on Agenda 4 of the Finance Committee Report agenda regarding public employment measures this evening in Room 310."

Representative Taniguchi: "With regard to House Bill 1393, House Draft 2, Senate Draft 1, Conference Draft 1, which we recommitted this morning, I would like to ask that the conferees on the part of the House to be available today for a conference sometime."

Representative Say: "Your conferees on Senate Bill 1193 will be having a conference meeting this evening at 10:30 p.m., Room 310, with the Finance Committee."

Representative Say then rose on a point of information and inquired:

"I am trying to understand how come you look so fresh like a tulip and your other colleagues look so drawn out, tired, frustrated. Do you have an answer to this question?"

The Chair responded:

"I have always been that way, Representative Say."

Representative Say then thanked the Chair.

Representative Marumoto: "Republicans will be caucusing tomorrow morning at 9:00 a.m. for the purposes of reviewing Conference drafts."

Representative Kiyabu: "Your conferees will be meeting this afternoon on various bills: At 4:00 o'clock, we will be meeting on the State bonds and capital improvement project bills; at 3:30, we will be meeting on various tax measures -- Senate Bills 115, 237, 239, 1185, 1350, 937 and 1246; at 7:00 p.m., we will be meeting on House Bill 354; and at 9:00 p.m., on Senate Bill 463."

At 12:53 o'clock p.m., Representative Taniguchi asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:55 o'clock p.m.

Representative Taniguchi: "Your Conference Committee on House Bill 281 will be meeting today at 5:30 along with Finance."

Representative Kiyabu then requested that conferees on the bills that were announced this afternoon make themselves available for signatures.

Representative Okamura, granted permission to make a late introduction, introduced Dr. Jim Wang, "a very good friend who is also a political science professor at Hilo campus, an author, and a very active Democrat."

The Chair then requested the conferees on the part of the House to make themselves available all day today.

At 12:56 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Conference Committee Reports.

CONFERENCE COMMITTEE REPORTS

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 76, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 60) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 60 on S.B. No. 76, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 76, SD 1, HD 1, CD 1, were made available to the members of the House at 5:00 o'clock p.m.

Representatives Tungpalan, Shito and Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 463, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 61) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 61 on H.B. No. 463, HD 2, SD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 463, HD 2, SD 2, CD 1, were made available to the members of the House at 5:00 o'clock p.m.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 1:00 o'clock p.m. tomorrow, Friday, April 19, 1985.

SIXTIETH DAY

Friday, April 19, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 1:20 o'clock p.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Francis Xavier Dennehy of Our Lady of Peace Cathedral, after which the Roll was called showing all members present with the exception of Representatives Hirono, Morgado and Tajiri who were excused.

By unanimous consent, reading of the Journal was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. 673 to 690) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 673) returning House Concurrent Resolution No. 4 which was adopted in the Senate on April 18, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 674) returning House Concurrent Resolution No. 37, HD1, which was adopted in the Senate on April 18, 1985, in an amended form (SD2), was placed on file.

By unanimous consent, H.C.R. No. 37, HD1, SD2, was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 675) transmitting Senate Concurrent Resolution No. 34, which was adopted in the Senate on April 18, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 34 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 676) transmitting Senate Concurrent Resolution No. 42, SD1, which was adopted in the Senate on April 18, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 42, SD1, was

deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 677) transmitting Senate Concurrent Resolution No. 100, SD1, which was adopted in the Senate on April 18, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 100, SD1, was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 678) transmitting Senate Concurrent Resolution No. 110, SD1, which was adopted in the Senate on April 18, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 110, SD1, was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 679) transmitting Senate Concurrent Resolution No. 111, which was adopted in the Senate on April 18, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 111 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 680) transmitting Senate Concurrent Resolution No. 116, which was adopted in the Senate on April 18, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 116, was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 681) transmitting Senate Concurrent Resolution No. 117, SD1, which was adopted in the Senate on April 18, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 117, SD1, was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 682) transmitting Senate Concurrent Resolution No. 118, which was adopted in the Senate on April 18, 1985, was placed on file.

By unanimous consent, further action on S.C.R. No. 118, was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 683) informing the House that the Senate had reconsidered its action taken on April 4,

1985, in disagreeing to the amendments proposed by the House to Senate Bill No. 59, SD1, and that the amendments proposed by the House to Senate Bill No. 59, SD1, (HD1) were agreed to by the Senate on April 18, 1985, and that Senate Bill No. 59, SD1, HD1, had passed Final Reading in the Senate on April 18, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 684) informing the House that the Senate had reconsidered its action taken on April 4, 1985, in disagreeing to the amendments proposed by the House to Senate Bill No. 86, SD1, and that the amendments proposed by the House to Senate Bill No. 86, SD1, (HD1) were agreed to by the Senate on April 18, 1985, and that Senate Bill No. 86, SD1, HD1, had passed Final Reading in the Senate on April 18, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 685) informing the House that the Senate had reconsidered its action taken on April 4, 1985, in disagreeing to the amendments proposed by the House to Senate Bill No. 217, SD1, and that the amendments proposed by the House to Senate Bill No. 217, SD1, (HD1) were agreed to by the Senate on April 18, 1985, and that Senate Bill No. 217, SD1, HD1, had passed Final Reading in the Senate on April 18, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 686) informing the House that the Senate had reconsidered its action taken on April 4, 1985, in disagreeing to the amendments proposed by the House to Senate Bill No. 280, SD1, and that the amendments proposed by the House to Senate Bill No. 280, SD1, (HD1) were agreed to by the Senate on April 18, 1985, and that Senate Bill No. 280, SD1, HD1, had passed Final Reading in the Senate on April 18, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 687) informing the House that the Senate had reconsidered its action taken on April 4, 1985, in disagreeing to the amendments proposed by the House to Senate Bill No. 327, SD1, and that the amendments proposed by the House to Senate Bill No. 327, SD1, (HD1) were agreed to by the Senate on April 18, 1985, and that Senate Bill No. 327, SD1, HD1, had passed Final Reading in the Senate on April 18, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 688) informing the House that the Senate had reconsidered its action taken on April 4, 1985, in disagreeing to the amendments proposed by the House to Senate Bill No. 1127, SD1, and that the amendments proposed by the House to Senate Bill No. 1127, SD1, (HD1) were agreed to by the Senate on April 18, 1985, and that Senate Bill No. 1127, SD1, HD1, had passed Final Reading in the Senate on April 18, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 689) informing the House that the Senate had reconsidered its action taken on April 4, 1985, in disagreeing to the amendments proposed by the House to Senate Bill No. 1144, SD1, and that the amendments proposed by the House to Senate Bill No. 1144, SD1, (HD1) were agreed to by the Senate on April 18, 1985, and that Senate Bill No. 1144, SD1, HD1, had passed Final Reading in the Senate on April 18, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 690) informing the House that the Senate had reconsidered its action taken on April 4, 1985, in disagreeing to the amendments proposed by the House to Senate Bill No. 1270, SD1, and that the amendments proposed by the House to Senate Bill No. 1270, SD1, (HD1) were agreed to by the Senate on April 18, 1985, and that Senate Bill No. 1270, SD1, HD1, had passed Final Reading in the Senate on April 18, 1985, was placed on file.

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

Representative Crozier introduced his cousin, Ms. Lani Williams, who is also a lobbyist for the H.M.S.A.

Representative Cachola introduced his cousin, Mr. Danny Cachola.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following Senate Concurrent Resolutions were disposed of as follows:

S.C.R. Nos:	<u>Referred to:</u>
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19	Committee on Consumer Protection and Commerce, then to the Committee on Finance
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- 22 Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 31 Committee on Water, Land Use Development and Hawaiian Affairs
- 50 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 65 Jointly to the Committees on Public Employment and Government Operations and Judiciary, then to the Committee on Finance
- 103 Committee on Planning, Energy and Environmental Protection, then to the Committee on Finance
- 113 Committee on Planning, Energy and Environmental Protection, then to the Committee on Finance
- 115 Committee on Planning, Energy and Environmental Protection, then to the Committee on Finance
- 120 Committee on Judiciary, then to the Committee on Legislative Management
- 122 Committee on Judiciary, then to the Committee on Finance
- 134 Committee on Housing, then to the Committee on Finance
- 140 Committee on Tourism
- 29 Committee on Human Services
- 32 Committee on Transportation, then to the Committee on Finance
- 34 Committee on Agriculture
- 37 Jointly to the Committees on Agriculture and Transportation, then to the Committee on Legislative Management
- 38 Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs and Agriculture, then to the Committee on Finance
- 39 Committee on Agriculture, then to the Committee on Finance
- 42 Jointly to the Committees on Transportation and Tourism, then to the Committee on Legislative Management
- 66 Committee on Ocean and Marine Resources
- 67 Committee on Transportation, then to the Committee on Finance
- 73 Committee on Judiciary
- 77 Committee on Education, then to the Committee on Finance
- 82 Committee on Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 86 Committee on Judiciary, then to the Committee on Legislative Management
- 87 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 89 Committee on Education
- 90 Jointly to the Committees on Education and Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 91 Committee on Education, then to the Committee on Finance
- 92 Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs and Employment Opportunities and Labor Relations
- 93 Committee on Education, then to the Committee on Finance
- 95 Committee on Higher Education and the Arts, then to the Committee on Finance
- 100 Committee on Agriculture
- 101 Committee on Water, Land Use Development and Hawaiian Affairs
- 107 Committee on Judiciary
- 108 Committee on Finance
- 109 Committee on Tourism
- 110 Jointly to the Committees on Agriculture and Water, Land Use Development and Hawaiian Affairs, then to the Committee on Finance
- 111 Jointly to the Committees on Water, Land Use Development and Hawaiian Affairs and Agriculture, then to the Committee on Finance
- 116 Jointly to the Committees on Agriculture and Ocean and Marine

Resources, then to the Committee on Finance

117 Committee on Agriculture, then to the Committee on Finance

118 Jointly to the Committees on Planning, Energy and Environmental Protection and Agriculture

126 Committee on Public Employment and Government Operations

At 1:24 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 1:31 o'clock p.m., the Chair asked the Clerk to note the presence of Representatives Hirono and Morgado.

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 or Final 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 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. 1392:

By unanimous consent, action was deferred one legislative day.

Stand. Com. Rep. No. 968 on S.B. No. 1397, SD2:

By unanimous consent, action was deferred one legislative day.

Stand. Com. Rep. No. 970 on S.B. No. 36, 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.

Conf. Com. Rep. No. 1 on S.B. No. 153, SD1, HD2, CD1:

On motion by Representative Andrews, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 153, SD1, HD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Conf. Com. Rep. No. 2 on S.B. No. 702, SD2, HD2, CD1:

On motion by Representative Andrews, seconded by Representative Apo and carried, the report of the Committee was adopted and S.B. No. 702, SD2, HD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. Nos. 153 and 702 had passed Final Reading at 1:34 o'clock p.m.

Conf. Com. Rep. No. 3 on H.B. No. 268, SD1, CD1:

On motion by Representative Tungpalan, seconded by Representative Tom and carried, the report of the Committee was adopted and H.B. No. 268, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Conf. Com. Rep. No. 4 on H.B. No. 188, SD1, CD1:

On motion by Representative Apo,

seconded by Representative Shon and carried, the report of the Committee was adopted and H.B. No. 188, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Conf. Com. Rep. No. 5 on H.B. No. 1162, HD1, SD1, CD1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 1162, HD1, SD1, CD1, 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", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. Nos. 286, 188 and 1162 had passed Final Reading at 1:35 o'clock p.m.

Conf. Com. Rep. No. 6 on H.B. No. 1386, SD1, CD1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 1386, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Conf. Com. Rep. No. 7 on S.B. No. 1186, SD2, HD1, CD1:

On motion by Representative Bunda, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 1186, SD2, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS", having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes with Representatives Levin and Takamine voting no, and Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. Nos. 1386 and 1186 had passed Final Reading at 1:36 o'clock p.m.

Conf. Com. Rep. No. 8 on S.B. No. 1224, SD1, HD1, CD1:

On motion by Representative Apo, seconded by Representative Shon and

carried, the report of the Committee was adopted and S.B. No. 1224, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes with Representatives Blair and Yoshimura voting no, and Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. No. 1224 had passed Final Reading at 1:37 o'clock p.m.

Conf. Com. Rep. No. 9 on S.B. No. 90, SD1, HD1, CD1:

On motion by Representative Apo, seconded by Representative Shon and carried, the report of the Committee was adopted and S.B. No. 90, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Conf. Com. Rep. No. 10 on S.B. No. 93, HD1, CD1:

On motion by Representative Apo, seconded by Representative Shon and carried, the report of the Committee was adopted and S.B. No. 93, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO FISH CATCH REPORTS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Conf. Com. Rep. No. 11 on H.B. No. 488, HD1, SD1, CD1:

On motion by Representative Bunda, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.B. No. 488, HD1, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no with Representative Liu voting no, and Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. Nos. 90, 93 and 488 had passed Final Reading at 1:38 o'clock p.m.

Conf. Com. Rep. No. 12 on H.B. No. 266, HD1, SD1, CD1:

On motion by Representative Graulty, seconded by Representative Tom and carried, the report of the Committee was adopted and H.B. No. 266, HD1, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO

CHILD SUPPORT", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no with Representative Bunda voting no, and Representative Tajiri being excused.

Conf. Com. Rep. No. 13 on H.B. No. 49, HD2, SD2, CD1:

On motion by Representative Grauly, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 49, HD2, SD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO CARE FOR THE ELDERLY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. Nos. 266 and 49 had passed Final Reading at 1:39 o'clock p.m.

Conf. Com. Rep. No. 14 on H.B. No. 101, HD1, SD2, CD1:

Representative Takamine moved that the report of the Committee be adopted and H.B. No. 101, HD1, SD2, CD1, having been read throughout, pass Final Reading, seconded by Representative Grauly.

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

"Mr. Speaker, just to indicate that my opposition to this bill is really aimed at the PNP Program which, I feel, has served its useful purpose, should have been phased out, and I am fearful that by consolidating it with these other offices, it may in fact, remain intact for periods much longer than we or anyone else really feel that it need be. So for that reason I'll be voting no."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 101, HD1, SD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE OF COMMUNITY SERVICES", having been read throughout, passed Final Reading by a vote of 47 ayes to 3 noes with Representatives Kihano, Liu and Ikeda voting no, and Representative Tajiri being excused.

Conf. Com. Rep. No. 15 on S.B. No. 1408, SD2, HD1, CD1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 1408, SD2, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO

ABUSE OF FAMILY AND HOUSEHOLD MEMBERS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 101 and S.B. No. 1408 had passed Final Reading at 1:40 o'clock p.m.

Conf. Com. Rep. No. 16 on H.B. No. 28, HD1, SD1, CD1:

Representative Tom moved that the report of the Committee be adopted and H.B. No. 28, HD1, SD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Metcalf.

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

"The purpose of this bill is to permit a child victim under the age of 16 who has been the subject of a child abuser sexual offense case to tell his or her side of what happened by videotaped testimony and further, in the event the sexually abused or abused child victims has to testify in court, face to face with the accused, that the child victim will be allowed to be placed separate and apart from the accused in another room, away from the courtroom to repeat the details of what happened subject, of course, to questions by the attorneys.

"This bill was a part of the Democratic majority package, Mr. Speaker, and it clearly demonstrates the Democratic Party's recognition and concern for child victims subjected to sexual abuse and abuse. It is an ordeal in itself for any person to have to appear in a courtroom to testify in front of a jury of twelve and a judge. I submit that the traumatic effects is even greater for children. The positive and long range effect of this bill would not be fully appreciated until used in a real situation -- only then will we, as citizens of this great State, appreciate the giant step forward taken for the protection, concern and safeguard for the rights of child victims of abuse and sexual abuse.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, being a member of the party that is for law and order, I see this as a great step forward in protecting the victim's rights especially when it comes to testimony in

cases of this sensitive nature. Also, I think this is a step in the right direction on tightening the screws on the criminal element in our courts in order that they can be rightfully convicted and sentenced in a strong manner -- something that we Republicans have stood for for a many long years. I'm glad to see that we are moving in the right direction.

"Thank you, Mr. Speaker."

Representative Metcalf then rose to state:

"Mr. Speaker, I would just like to note that it was a Majority bill."

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

"Only by comment -- that the Minority did have a similar bill in the hopper, but it was not heard or passed.

"Thank you."

To which the Chair stated:

"Those things happen sometimes."

Representative Kawakami then rose and stated:

"Let me assure you, it was a sheer accident when it happened."

Representative Tom then rose and stated:

"Mr. Speaker, this was a case of "blind justice."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 28, HD1, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 28 had passed Final Reading at 1:44 o'clock p.m.

At 1:44 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 1:52 o'clock p.m.

Conf. Com. Rep. No. 17 on H.B. No. 89, HD1, SD2, CD1:

Representative Taniguchi moved

that the report of the Committee be adopted and H.B. No. 89, HD1, SD2, CD1, having been read throughout, pass Final Reading, seconded by Representative Tom.

Representative Kim then rose and requested that her remarks against the bill be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Kim's remarks are as follows:

"Mr. Speaker, I rise, as I have before, to speak in opposition to this bill.

"As I stated in a previous floor speech, this is another form of government infringing upon an individual's right to choose, and it is this type of infringement which eventually leads to the major erosion of those fundamental freedoms which we value so much.

"I also question H.B. No. 89, HD1, SD1, CD1, from the standpoint of enforceability. Not only will police have a difficult time enforcing this mandatory wearing of seat belts, but also have difficulty making sure that they are installed in cars that lack them.

"In addition, CD1 mandates a 10% reduction in insurance rates. I ask how it is possible to enforce or monitor a 10% reduction in rates in the open competitive rating market that exists here in Hawaii.

"Further, Mr. Speaker, the fine mandates by CD1 has been reduced to a nominal amount of \$15.00. If one is by chance caught without his or her seat belt and is not clever enough to think of an excuse, then he or she will be fined \$15.00 - hardly enough to induce that person to comply with the law in the future.

"Again, Mr. Speaker, I believe public safety will be better served when people wear their seat belts because they want to -- not because a law says they have to."

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

"I am in favor of the bill, and just to clarify that I think there is some ambiguous language in the bill and in pointing out that on page 2 section C-C2, it seems to indicate "that no person shall be guilty of violating this section if the person not restrained by a seat belt assembly is in

a vehicle in which the number of persons exceeds the number of seat belt assemblies available in the vehicle," and that seems to imply that it includes the whole vehicle both the front and back seats.

"I'm pretty sure that based on the language in section 1 of the bill on page 1 of the bill, it's very clearly intended that this bill would cover only the front seats, so I would hope that the courts, if they should ever be challenged by any person, would take my comments into consideration in interpreting this statute.

"Thank you, Mr. Speaker."

Representative Jones then rose to speak in opposition of the bill, stating:

"Mr. Speaker, House Resolution 272 wants us to encourage the insurance industry in establishing Hawaii as an international business and finance center. And I submit that it is bills like this that make resolutions like that spurious.

"Right now, Hawaii investments by insurance industry exceed 2.5 billion dollars which is very important to us.

"House Bill 89 started out as a simple bill -- saves lives, asks the people to buckle up. We couldn't let it go at that. We had to attack this bill and the insurance industry by mandating a lower liability premium of 10%. We don't know where we got the 10%, but it says rates should be 10% less. This bill has a mandated reduction that has no meaning in a line of insurance which is by law subject to open competition.

"Each insurer sets its own rates in order to compete with every other company. Its rates reflect its view of the marketplace. Some companies price their liabilities higher than others while its collision or no-fault coverage could more than offset its disadvantage in liability. They cannot change their pricing philosophy at any time.

"We can have competitive rating or uniform rating, but we cannot have both. This attempt to impose uniform pricing upon a rating system which is competitive is asking the insurance commissioner to do the impossible. The commissioner informed the sponsors of the proposal of this problem.

"The mandate also assumes that there will be universal compliance with the law -- assumes that every driver and passenger will buckle up.

"Opponents of the seat belt requirement complain that the law is unenforceable. Some of them are sponsors of the rate mandate. If the law cannot be enforced, how can we expect the public to comply?

"Mr. Speaker, the bill also prohibits evidence of noncompliance from being introduced to mitigate damages in a personal injury suit. Now either seat belts mitigate damages or they don't. It is contradictory to assume that they will lower the cost of accidents and on the other hand, forbid the jury from knowing whether they could have reduced the cost of the accident. If seat belts lower costs of accidents, let the jury consider that in their deliberations. If they don't lower costs, don't force a false savings on insurers. Rates based on universal compliance should have some expectation of universal compliance and should not relieve someone of any repercussions when he does not comply. And it is on that basis, Mr. Speaker, unfortunately, I see we have a very good bill that has been botched up in an anti-business amendments, and I urge my colleagues to vote no.

"Thank you."

Representative Pfeil 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 Pfeil's remarks are as follows:

"Years ago, I testified before the Senate and the House Judiciary Committees against the Mandatory Motorcycle Helmet Law, using the similar anti-paternalistic arguments we have heard against this seat belt bill. As the promise of federal funds were involved in that bill, we found ourselves with a Motorcycle Helmet Law.

"Several weeks after I dutifully bought, and was wearing my mandatory helmet, I was involved in a horrible motorcycle accident. As I revived in the ambulance, going to the hospital with a broken leg and shoulder, the ambulance attendant said, 'if you weren't wearing a helmet, you would not have survived the accident.'

"Therefore, taking into consideration the higher probability of serious injury to drivers and passengers without this precaution, I cast my vote in support of mandatory seat

belts."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 89, HD1, SD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY", having been read throughout, passed Final Reading by a vote of 43 ayes to 7 noes with Representatives Onouye, Kim, Bunda, Souki, Lindsey, Anderson and Jones voting no, and Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 89 had passed Final Reading at 1:57 o'clock p.m.

Conf. Com. Rep. No. 18 on H.B. No. 104, HD2, SD1, CD1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 104, HD2, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO NAMES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Conf. Com. Rep. No. 19 on H.B. No. 830, HD1, SD1, CD1:

On motion by Representative Taniguchi, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.B. No. 830, HD1, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 104 and 830 had passed Final Reading at 1:58 o'clock p.m.

Conf. Com. Rep. No. 21 on H.B. No. 519, SD1, CD1:

On motion by Representative Taniguchi, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.B. No. 519, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES", having been read throughout, passed Final Reading by a vote of 46 ayes to 4 noes with Representatives Medeiros, Pfeil, Hemmings and Ikeda voting no, and Representative Tajiri being excused.

Conf. Com. Rep. No. 22 on S.B. No. 78, SD1, HD2, CD1:

On motion by Representative Tom, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and S.B. No. 78, SD1, HD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 519 and S.B. No. 78 had passed Final Reading at 1:59 o'clock p.m.

Conf. Com. Rep. No. 23 on S.B. No. 133, SD1, HD1, CD1:

Representative Taniguchi moved that the report of the Committee be adopted and S.B. No. 133, SD1, HD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Oshiro.

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

"Briefly, registration of aircraft is already done quite adequately by the federal government and all the records are available to the state agencies necessary, so just a needless bureaucracy being created to register planes and duplication of the federal government's efforts to do so already, and secondly, since the registration is needless, I don't see that the ten dollar fee is going to help anybody. So I speak against it."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 133, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF AIRCRAFT", having been read throughout, passed Final Reading by a vote of 44 ayes to 6 noes with Representatives Pfeil, Hemmings, Jones, Cavasso, Liu and Marumoto voting no, and Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. No. 133 had passed Final Reading at 2:00 o'clock p.m.

Conf. Com. Rep. No. 24 on S.B. No. 249, SD1, HD1, CD1:

Representative Tom moved that the report of the Committee be adopted and S.B. No. 249, SD1, HD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Metcalf.

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

"I do so again because I think it is important that the public know that this is a bad bill. This measure as written would, in my opinion, potentially take away the right of the prosecutor's office to use presentence reports in the presentation of its cases during certain types of sentencing hearings.

"The bill clearly states that all records of the State of Hawaii's adult probation divisions are clearly confidential and are not public records.

"My problem, Mr. Speaker, is that during hearings on this bill it was pointed out by the prosecutor's office that they could be prohibited from using presentencing reports for one crime to be used in another in arguing for imposition of extended term under Section 706-662 of our penal code, especially in the area of attempting to indicate to the court that the felon is a dangerous person.

"Under that section of the law, it indicates that the court shall not make a finding of such dangerousness unless the defendant has been subjected to a psychiatric examination, resulting in the conclusion that his criminal conduct has been characterized by compulsive, aggressive behavior with heedless indifference to consequences and that such conditions makes him a serious danger to others. As part of that psychiatric examination, a perusal and use by the psychiatrist as well as by the prosecutor's office might require some note of prior presentencing reports done by the adult probation office.

"For this reason, Mr. Speaker, that I believe that this bill is defective and will only hinder the prosecution of crime in this State. I urge all my colleagues to vote no.

"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. 249, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF ADULT PROBATION RECORDS", passed Final Reading by a vote of 39 ayes to 11 noes with Representatives Marumoto, Ikeda, Liu, Medeiros, Anderson, Jones, Isbell, Kamali'i, Cavasso, Hemmings and Pfeil voting no, and Representative Tajiri being excused.

Conf. Com. Rep. No. 25 on S.B. No. 1264, SD1, HD1, CD1:

On motion by Representative

Oshiro, seconded by Representative Nakasato and carried, the report of the Committee was adopted and S.B. No. 1264, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY", having been read throughout, passed Final Reading by a vote of 50 ayes with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. Nos. 249 and 1264 had passed Final Reading at 2:03 o'clock p.m.

Conf. Com. Rep. No. 26 on H.B. No. 329, HD1, SD2, CD1:

Representative Tom moved that the report of the Committee be adopted and H.B. No. 329, HD1, SD2, CD1, having been read throughout, pass Final Reading, seconded by Representative Metcalf.

Representative Blair 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 Blair's remarks are as follows:

"Mr. Speaker, under the current law, a person who is caught driving with a suspended or revoked license is subject to a maximum penalty of \$1,000.00 fine and one year in prison. As a practical matter, the only penalty is a fine, usually \$250.00, and the fine can be suspended. In short, the penalty is potentially severe but actually relatively mild.

"This bill will provide a mandatory penalty for anyone who continues to drive after their license has been suspended or revoked for driving while intoxicated. Unfortunately, most people whose license to drive is suspended or revoked, for driving while intoxicated, continue to drive. This category of offenders poses an exceptionally grave risk to the general public and greater deterrence is required.

"The new penalty, Mr. Speaker, is a mandatory jail term of not less than three days nor more than sixty days and an additional year of license suspension or revocation, in addition to a current fine.

"I urge all of my colleagues to vote for H.B. No. 329, HD1, SD2, CD1, as an affirmative act to make Hawaii a safer community."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 329, HD1, SD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Conf. Com. Rep. No. 27 on H.B. No. 1257, SD1, CD1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.B. No. 1257, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. Nos. 329 and 1257 had passed Final Reading at 2:04 o'clock p.m.

Conf. Com. Rep. No. 28 on H.B. No. 165, SD1, CD1:

On motion by Representative Bunda, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.B. No. 165, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 165 had passed Final Reading at 2:05 o'clock p.m.

Conf. Com. Rep. No. 30 on H.B. No. 436, HD2, SD2, CD1:

On motion by Representative Graulty, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 436, HD2, SD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

At 2:06 o'clock p.m., Representative Kiyabu asked for a recess, and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:13 o'clock p.m.

The Chair directed the Clerk to

note that H.B. No. 436 had passed Final Reading at 2:13 o'clock p.m.

Conf. Com. Rep. No. 31 on S.B. No. 149, SD1, HD1, CD1:

Representative Andrews moved that the report of the Committee be adopted and S.B. No. 149, SD1, HD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Say.

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

"Mr. Speaker, it's amusing how difficult it is to acquire wisdom and how quickly it is lost.

"Barely a month ago, this House wisely rejected a bill which would have allowed incremental 15 acre mischief in agricultural lands. Notice how this 15 acre formula keeps popping up. Here we are again, this time, 15 acres anywhere not in a conservation zone, are up for grabs.

"This time we are asked to endorse the premise that 15 acres just about anywhere, is no longer of State concern; no longer subject to the Land Use Commission and can be reclassified by the counties, unilaterally, incrementally.

"Give me an example, you say. On Maui, there are sections of big beach which are classified as rural; the County plans, however, have these indicated for urban use. When this bill passes, Mr. Speaker, some of the best beach lands outside of Oahu will no longer be required to pass through the regular land use system.

"I think it's prudent to stop and evaluate just what we're doing this year to the overall land use system. When I look at the number of economically oriented bills that are passing, I challenge anyone to say that this Legislature is anti-business.

"We have granted exemptions for the development of harbors; we have granted exemptions for the development of airports; we have granted vested rights even before the filing of an environmental impact statement; we have granted exemptions from all land use controls for housing projects which only have 20% low income; we have granted reductions in the time for the environmental impact statement process; we have granted exemptions for golf courses; we have granted enterprise zones and tax increment financing to also stimulate business.

"Mr. Speaker, far from being anti-business, we have been enthusiastically dismantling the land use system bit by bit.

"I, too, am a critic of this system. There can be no doubt that it is over regulated and undermanaged. Protection is granted only through the many, many layers of permits, one on top the other, very few of them with the clout to say definitely "no."

"Clarity is what our system needs. In speaking with members of the business community, they tell me it is the lack of clarity which is most troublesome to business.

"I believe, Mr. Speaker, that we should reform this land use system comprehensively, in a way that provides clear and certain protection for those lands which should be in conservation -- our best agricultural lands and coastal areas -- while granting flexibility and more permission for projects outside of those areas.

"I believe that we should begin by taking into account the virtual explosion of information in the last ten years on native and endangered species which has not been put into the system in adjusting our conservation land boundaries -- by putting these lands now excluded into conservation and by taking many of those lands out which we all agree have no business being there. Unfortunately, Mr. Speaker, this bill does none of these. Rather than restoring a sense of reason to the system, it suggests we simply circumvent it. Rather than adding clarity, it simply avoids state responsibility. And it accomplishes one final disservice which we may record as its greatest crime -- if we were to hold this bill, there would be continued interest on the part of the Administration, on the part of the business community, and on the part of Legislators to take another comprehensive look, at the interim, at the entire land use system -- if we pass this bill, the pressure is off; the sense of urgency is lost; the momentum is lost. We are stuck with the same old system which admittedly, satisfies no one. If you really want more clarity, if you want better business, if you really want a long-term solution, I suggest to you to join me in sending a message and rejecting this bill.

"Mahalo."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No.

149, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", having been read throughout, passed Final Reading by a vote of 44 ayes to 6 noes with Representatives Shon, Hirono, Hagino, Cacho, Kamali'i and Ikeda voting no, and with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. No. 149, had passed Final Reading at 2:19 o'clock p.m.

Conf. Com. Rep. No. 32 on S.B. No. 1358, SD1, HD2, CD1:

On motion by Representative Tom, seconded by Representative Kihano and carried, the report of the Committee was adopted and S.B. No. 1358, SD1, HD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO THE COSTS OF COURT", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Conf. Com. Rep. No. 33 on S.B. No. 615, SD1, HD2, CD1:

On motion by Representative Andrews, seconded by Representative Say and carried, the report of the Committee was adopted and S.B. No. 615, SD1, HD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR PRIVATE ATTORNEYS GENERAL", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Anderson voting no, and with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. Nos. 1358 and 615 had passed Final Reading at 2:20 o'clock p.m.

Conf. Com. Rep. No. 34 on S.B. No. 460, SD2, HD2, CD1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 460, SD2, HD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

Conf. Com. Rep. No. 35 on S.B. No. 459, SD2, HD2, CD1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Com-

mittee was adopted and S.B. No. 459, SD2, HD2, CD1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. Nos. 460 and 459 had passed Final Reading at 2:21 o'clock p.m.

THIRD READING

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

S.B. No. 1297, SD1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 1297, SD1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

S.B. No. 561:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, S.B. No. 561, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION", passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. Nos. 1297 and 561 had passed Third Reading at 2:22 o'clock p.m.

S.B. No. 192:

On motion by Representative Shito, seconded by Representative Bunda and carried, S.B. No. 192, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS", passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. No. 192 had passed Third Reading at 2:23 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1225) recommending that S.B. No. 730,

SD1, 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. 730, SD1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS", passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. No. 730 had passed Third Reading at 2:23 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1226) recommending that S.B. No. 342, SD1, 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. 342, SD1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES", passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. No. 342 had passed Third Reading at 2:24 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1227) recommending that S.B. No. 1209, SD1, 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. 1209, SD1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Third Reading by a vote of 50 ayes, with Representative Tajiri being excused.

The Chair directed the Clerk to note that S.B. No. 1209 had passed Third Reading at 2:25 o'clock p.m.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1228) recommending that H.R. No. 356 be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 356, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING

AN ENTREPRENEURIAL PROGRAM TO AID UNEMPLOYED PERSONS WHO QUALIFY FOR UNEMPLOYMENT COMPENSATION", was referred to the Committee on Finance.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1229) recommending that H.R. No. 428 be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 428, entitled: "HOUSE RESOLUTION 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 referred to the Committee on Finance.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 1230) recommending that H.C.R. No. 145 be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION 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 referred to the Committee on Finance.

Representatives Levin and Say, for the Committees on Higher Education and the Arts and Water, Land Use Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1231) recommending that S.C.R. No. 59 be adopted.

On motion by Representative Levin, seconded by Representative Say and carried, the joint report of the Committees was adopted and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO APPROVE PERMANENT STATUS FOR THE HAWAIIAN STUDIES PROGRAM", was adopted.

Representative Hashimoto, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1232) recommending that H.R. No. 414 be adopted.

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

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1233) recommending that H.R. No. 316, as amended in HD1, be adopted.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.R. No. 316, HD1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE UNITED STATES CONGRESS CONDUCT FURTHER PUBLIC HEARINGS TO INVESTIGATE THE POSSIBLE EXISTENCE OF AMERICAN PRISONERS OF WAR IN SOUTH EAST ASIA, AND TO PRESS FOR THE RELEASE OF THE RECORDS AND REMAINS OF THOSE MISSING IN ACTION", was adopted.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1234) recommending that H.R. No. 236 be adopted.

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and H.R. No. 236, entitled: "HOUSE RESOLUTION URGING THE SOUTH AFRICAN GOVERNMENT TO PUT AN END TO APARTHEID", was adopted.

Representative Tom, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1235) recommending that H.R. No. 193, as amended in HD2, be adopted.

Representative Tom moved that notwithstanding the recommendation of the Committee, H.R. No. 193, HD2, be recommitted to the Committee on

Judiciary, seconded by Representative Metcalf.

Representative Kamali'i then rose to speak in favor of the resolution, stating:

"Mr. Speaker, first of all, I want to thank Representative Tungpalan and the Chairman of the Judiciary Committee, for his sensitivity in allowing this resolution to be recommended to his Committee so that we can continue to work on this resolution.

"Mr. Speaker, however, I want to speak very strongly in favor of this resolution.

"I doubt that very many people know the depth and scope of what can only be called the economic exploitation of women and this is one ..."

At this time, Representative Tom rose on a point of inquiry.

The Chair directed Representative Tom to state his point.

Representative Tom then stated:

"Mr. Speaker, I don't believe that -- it may be premature at this time to speak on the resolution since it hasn't come in final form, and I'm wondering if it would be more appropriate to address the resolution at its time of adoption, if it is adopted, or moved to be adopted."

The Chair responded:

"Representative Kamali'i is recognized to discuss the motion which is to recommit said resolution."

Representative Tom then inquired:

"Am I to understand then, that to recommit it does not mean to speak on its merits or demerits at this time, only on the motion?"

The Chair replied:

"Representative Tom, that resolution is before this House; it's part of the motion. Representative Kamali'i will continue."

Representative Kamali'i continued her remarks, stating:

"Thank you, Mr. Speaker, and I do realize the sensitivity of this, but I think Mr. Speaker, certain things must be brought to light with regards to this resolution and to what we are

trying to do for all the citizens of the State; it is not just a women's resolution. However, this is where it begins because historically, patterns of wage and sex discrimination has continued because of what I just mentioned, the economic exploitation of women.

"We see that the greatest gains made by women are among those who chose to enter and compete in those fields once considered the "male domain" -- in the professional classes of law, in medicine and in business and in the trades.

"However, for the overwhelming majority of the women who work in jobs typically considered so-called "women's work" -- the secretaries, the nurses, jobs in the service industries -- the wage discrepancy continued and must be judged as more and more disturbing because the enactment of the "equal pay for equal work" law in 1963, has not remedied the difference. This is why I'm so grateful for this opportunity to work on this resolution because the information that we have obtained through the Commission on the Status of Women, Hawaii, over 45% of all adult women work and the average weekly earnings for women -- if you can believe it -- is \$199.00 a week and for men, the mean weekly wage is \$327.00; but we are tragically consistent with the national averages which show that for every dollar a man makes, a woman receives 59¢.

"And why do I use this word "tragically?" Because every working woman, if she were the sole support of her family, would be below the poverty line. And that projection is reality for too many of our families in our state.

"Of the 9,692 families receiving aid for dependent children, 9,200 have a female head of household. And of the 1,200 who receive rent supplements, more than 800 families are headed by women. And more than two thirds of those qualifying for food stamps, are families headed by women. Poverty is an experience known by an increasing number of women and their children in this State -- paradoxically known by "working women," -- that is a contradiction that is an injustice of major proportions.

"This resolution, we hope after working on it, will provide the solution to many of these problems. But it does acknowledge that the problem exists right now, and we seek the opportunity to even provide more

information on the wage discrepancies. Perhaps, Mr. Speaker, my introduction of this resolution and support of the amendments which we will continue to work on, kind of surprised some of my colleagues. There are even members of my own caucus who will vote against this measure, who have signed the committee report, "I do not concur." However, my commitment in seeking office and my first priority as a representative is not to a mistaken notion of partisan purity, but to needed changes for, we hope, a better Hawaii for all of us to live in.

"I thank the Chairman of the Judiciary Committee and his members for this opportunity to discuss this resolution at this time.

"Thank you."

Representative Tom then rose and stated:

"I would like to just say a few words to clarify the situation.

"Mr. Speaker, the Chair has always been and will continue to be in favor of equal pay for comparable work. And this resolution by Representative Kamali'i was presented, was reviewed and was given a hearing.

"The women's groups gave several amendments to the resolution because they felt that without these amendments, the resolution would not be strong enough. And these amendments, Mr. Speaker, were good amendments because they said, 'Hey, we don't want just talk, we want a study done, and we want to see if the allegation being made, that there was not equal pay for comparable work exist.' And this Chair felt very strongly that these amendments that were being suggested by the city and county of women community group was an excellent thing. This Chair was not aware, however, of the technicality of house resolutions versus house concurrent resolutions, and I apologize for that action, that I was not aware.

"Mr. Speaker, without these amendments, however, I have made it clear that in further looking at the "whereases", that it appears to make several conclusions which have not yet been substantiated; and that is why this Chair felt very strongly about the amendments by the auditor to have a review. And I just wanted to get those facts regarding the motion for recommittal clear because the Chair will do everything in its

power to look at whatever amendments are made to clear the whereases.

"Thank you, Mr. Speaker."

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

"This resolution started off as a very simple expression on our part to employers saying, 'Hey employers, look at the issue of comparable work.' It does not mandate them to do anything. You know we pass this kind of resolution all the time, expressing our opinions, etc., and so this resolution really is no different than a lot of resolutions that we pass rather routinely in this Body.

"Unfortunately, when we heard this resolution yesterday, to accommodate some of the concerns that were raised by members in the committee, the resolution was amended and I'm not saying that this is not a good amendment, but the effect of this amendment is, to kill this resolution for this session. And so this recommittal is very proper, because as the previous speakers have indicated, this allows the proponents of this measure to work on this and to come up with something that will be acceptable to the chairman and we hope to the Body, and we intend to do that in the time available and we hope we can come up with something, and when we do, we ask that this Body be unanimous in its support of its concepts.

"Thank you."

The motion was put by the Chair and carried, and notwithstanding the recommendation of the Committee, Stand. Com. Rep. No. 1235 and H.R. No. 193, HD2, entitled: "HOUSE RESOLUTION REQUESTING EQUAL PAY FOR COMPARABLE WORK", were recommitted to the Committee on Judiciary.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1236) recommending that S.C.R. 69, SD1, be adopted.

On motion by Representative Andrews, seconded by Representative Tom and carried, the report of the Committee was adopted and S.C.R. No. 69, SD1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EXTENSION OF FEDERAL ENERGY TAX CREDITS", was adopted.

At 3:00 o'clock p.m., Representative Kihano asked for a recess, and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 3:02 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Tajiri.

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. 1237) recommending that H.R. No. 382 be adopted.

On motion by Representative Lindsey, seconded by Representative Say and carried, the joint report of the Committees was adopted and H.R. No. 382, entitled: "HOUSE RESOLUTION 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 adopted.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1238) recommending that H.R. No. 432 be adopted.

On motion by Representative Kiyabu, seconded by Representative Tam and carried, the report of the Committee was adopted and H.R. No. 432, entitled: "HOUSE RESOLUTION REQUESTING THE HOUSE COMMITTEE ON FINANCE TO REVIEW THE FOREIGN-TRADE ZONES IN HAWAII", was adopted.

Representative Say, for the Committee on Water, Land Use Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1239) recommending that H.R. No. 422 be adopted.

On motion by Representative Say, seconded by Representative Tam and carried, the report of the Committee was adopted and H.R. No. 422, entitled: "HOUSE RESOLUTION 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. 304, HD1, WHICH REQUESTS A STUDY ON THE FEASIBILITY OF

SETTING ASIDE STATE LANDS FOR THE PRACTICE OF SUBSISTENCE LIFESTYLES", was adopted.

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

By unanimous consent H.B. Nos. 108, HD2, SD1; 674, HD1, SD1; 824, HD1, SD1; 153, SD1; 194, HD1, SD2; 166, HD2, SD2, were taken from the Clerk's desk.

On motion by Representative Yoshimura, seconded by Representative Kim and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 108, HD2, and H.B. No. 108, HD2, SD1, having been read throughout, passed Final Reading by a vote of 51 ayes.

On motion by Representative Yoshimura, seconded by Representative Tam and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 674, HD1, and H.B. No. 674, HD1, SD1, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 108 and 674 had passed Final Reading at 3:05 o'clock p.m.

On motion by Representative Yoshimura, seconded by Representative Kim and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 824, HD1, and H.B. No. 824, HD1, SD1, having been read throughout, passed Final Reading by a vote of 51 ayes.

On motion by Representative Say, seconded by Representative Tam and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 153, and H.B. No. 153, SD1, having been read throughout, passed Final Reading by a vote of 45 ayes to 6 noes, with Representatives Hemmings, Isbell, Jones, Liu, Marumoto and Ikeda voting no.

The Chair directed the Clerk to note that H.B. Nos. 824 and 153 had passed Final Reading at 3:06 o'clock p.m.

On motion by Representative Say, seconded by Representative Tam and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 194, HD1, and H.B. No. 194, HD1, SD2, having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

The Chair directed the Clerk to note that H.B. No. 194 had passed Final Reading at 3:07 o'clock p.m.

At 3:07 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:11 o'clock p.m.

On motion by Representative Bunda, seconded by Representative Kihano and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 166, HD2, and H.B. No. 166, HD2, SD2, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 166 had passed Final Reading at 3:12 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative Shito moved that the House reconsider its action taken on April 3, 1985, in disagreeing to the amendments proposed by the Senate to H.B. No. 1354, HD1, seconded by Representative Bunda and carried.

Representative Shito then gave notice of his intent to agree to the amendments proposed by the Senate to H.B. No. 1354, HD1.

The Chair dismissed Representatives Shito, Blair, Metcalf, Taniguchi and Medeiros as Managers on the part of the House for the consideration of H.B. No. 1354.

At 3:14 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 3:17 o'clock p.m.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 36 on H.B. No. 1285, HD2, SD1, CD1:

Representative Graulty moved that the report of the Committee be adopted and H.B. No. 1285, HD2, SD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Souki.

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

"Mr. Speaker, I rise to speak in

favor of this bill because its purpose is to require national criminal record checks for staff of child care institutions. I support that purpose, Mr. Speaker, and commend the chairman for reporting out this bill. But, if we are going to pass bills like this, and believe me I think we should, we must be aware of a giant pitfall.

"By the year 2000, Mr. Speaker, child care in Hawaii will become a scandal.

"More than half of all women with dependent children work, and almost three-fourths of mothers with school-aged kids work full time now. These numbers will continue to increase.

"Our state has licensed facilities for only about 20,000 youngsters and an estimated 30,000 are in need of additional child care. Population projections for 1985 show 1.6 million children under ten in Hawaii; if only 20,000 can enroll in licensed facilities, where will the others go?

"DSSH, which regulates child care, has been shown to have rules and regulations that are counterproductive, imposing unnecessary paperwork and overly stringent requirements for providers, thereby increasing child care costs. Is it little wonder, then, that 90% of family day care homes have gone underground to avoid licensure? They need to do so to survive.

"In the wake of last year's Windward scandal, the Legislature and the Department have sought to tighten up licensing to prevent further abuse. It doesn't take much imagination, Mr. Speaker, to see the unintended effects this will have -- more day care homes going underground, leaving fewer children protected by Department standards... quite the opposite effect of the intention of the rulemakers.

"Child care is no longer a problem of the individual -- it is a community problem. The majority of the working populace is in need of child care. The lack of that care is a factor in parents that become abusers -- and this is most definitely a community problem.

"We have not been responsive to this need and we need to work harder at it. We have failed to develop workable policies and programs to address the ever-growing demand for quality, affordable child care. The demand from this "seller's market" has resulted in, and will continue to

result in, greater numbers of underground facilities and environment amenable to abuse.

"Now is the time for those who would benefit most from quality available child care, working parents and their employers, to make a move toward finding viable alternatives to our present situation in Hawaii.

"Parents who work toward establishing child care can personally ensure quality and standards. Employers who assist their workers in such a development, either with physical facilities or financial resources, benefit from reduced absenteeism and tardiness on the part of their employees, as well as fostering much good will in the community. Of course there could be the benefit from tax write-offs.

"We are in a position of spearheading a movement for positive social change by working with the private sector on a growing social problem that can be prevented if we attend to it now. The bills are in the hopper -- some 7 or 8 -- introduced by your minority this year. We sincerely hope, lest our predictions come true, that we will take a harder look at them for next year.

"And Mr. Speaker, while I am on it, I would like to say that earlier this afternoon I heard comments back and forth about the Republicans and the Democrats.

"This report, Mr. Speaker, is by conferees and that's why the conference report is very important, but when you are a conferee, you are no longer a Republican or a Democrat. You are a member of this House, and we have been fighting the Senate and that is not the way it has been looking. It's been looking like we are Republicans and Democrats.

"So I would like to thank all conferees for all of the work that they have done.

"And thank you, Mr. Speaker, I hope everybody votes for the bill."

Representative Medeiros then rose on a point of personal privilege.

The Chair directed Representative Medeiros to state his point.

Representative Medeiros stated:

"I would like to observe that Representative Anderson does a good job when he reads. Don't you think so?"

The Chair asked:

"Representative Medeiros, were you personally offended?"

Representative Medeiros responded:

"Well, I was not. I was very surprised, Mr. Speaker."

The Chair then stated:

"Then you were out of order to rise on a point of personal privilege."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1285, HD2, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL RECORDS CLEARANCE", having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 37 on S.B. No. 461, SD1, HD1, CD1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 461, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO SHOP-LIFTING", having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1285 and S.B. No. 461 had passed Final Reading at 3:23 o'clock p.m.

Conf. Com. Rep. No. 38 on S.B. No. 253, SD1, HD1, CD1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 253, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT", having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 253 had passed Final Reading at 3:24 o'clock p.m.

At 3:24 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:29 o'clock p.m.

Conf. Com. Rep. No. 39 on H.B. No. 1231, HD2, SD1, CD1:

On motion by Representative Andrews, seconded by Representative

Tajiri and carried, the report of the Committee was adopted and H.B. No. 1231, HD2, SD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 40 on S.B. No. 462, SD1, HD1, CD1:

On motion by Representative Yoshimura, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 462, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO TERMS OF BOARDS AND COMMISSIONS", having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1231 and S.B. No. 462 had passed Final Reading at 4:30 o'clock p.m.

Conf. Com. Rep. No. 41 on S.B. No. 1413, SD1, HD1, CD1:

Representative Tom moved that the report of the Committee be adopted and S.B. No. 1413, SD1, HD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Yoshimura.

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

"Good day, Mr. Speaker.

"I wish to speak in favor of S.B. No. 1413, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS." This is a bill which can be labeled as an "open government" or "sunshine" bill.

"The original intent of S.B. No. 1413, which is the companion measure of H.B. No. 1014, is to provide and assure open meetings by government agencies and regain public confidence that government decisions are not made "behind closed doors." Citizen participation is an essential aspect of our system of government -- the democratic society.

"Based on the principles embodied in the U.S. Constitution, our State Constitution establishes that: "All political power of this State is inherent to the people and the responsibility for the exercise thereof rests with the people. All government is founded on this authority."

"I feel very strongly that S.B. No.

1413, SD1, HD1, CD1, provides greater assurance that there is "democracy" for Hawaii's people. The reasons are as follows:

1. Public boards or commissions will be required to accept written and oral testimony from the citizens of this State.

2. Boards and commissions will be required to publicly announce the reason for the holding of any meeting which is closed to the public and the vote of the board members on holding the closed meeting will be recorded in the minutes.

3. A majority of all members to which a board is entitled will be required in a decision to close a meeting.

4. Boards and commissions will be required to provide written notice of an anticipated closed meeting and the purpose of holding such a meeting.

5. The Circuit Court will be allowed to award reasonable attorney fees to the prevailing party in suits brought under Hawaii's Sunshine Act.

6. In a closed meeting, boards and commissions will not be allowed to make a decision or deliberate toward a decision which is outside the scope of the purpose for which the closed meeting was called.

7. If a board or commission decides to continue a public meeting on an item of reasonable major importance, it may only continue the meeting to a reasonable day and time.

8. Boards and commissions may only hold a closed meeting to consult with their attorney on "questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities." This is an improvement over the language in the House draft which would have allowed a closed meeting to be held for a board to consult with its attorney on any "legal issue." However, the conference draft wording is still relatively weak. The board's powers, duties, privileges, immunities and liabilities are established in the Hawaii Revised Statutes and individual board members should know about such basic matters before accepting board membership. I still believe, along with the organizations such as the League of Women Voters, Common Cause, The Honolulu Community Media Council and the American Association of University Women, that boards and commissions should only be allowed to

hold a closed meeting with its attorney to discuss questions and issues pertaining to actual, proposed or threatened lawsuits. Any other legal subject of discussion with the attorney can and should be discussed in an open meeting, and I hope that the Legislature will be able to strengthen this clause in the next session.

"In conclusion, passage of this conference draft is a step in the right direction and especially appropriate in the year which marks the 10th anniversary of the adoption of Hawaii's Sunshine Act. For all of these changes to strengthen the Sunshine Act, I thank Representative Terrance Tom, the chairman of the Judiciary Committee, and the other members of his committee.

"Thank you."

Representative Liu 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 Liu's remarks are as follows:

"Mr. Speaker, this Bill was intended to ensure a greater public participation in open meetings of governmental bodies by amending the Sunshine Law. My reservations concern an amendment, inserted by your Conference Committee in Section 3 of the Bill, which, I believe, subverts the intent of the Bill and of the Sunshine Law itself.

"As originally received by the House, the Bill would have amended Section 92-5, Hawaii Revised Statutes, to limit a board's authority to hold closed meetings with its attorney, by restricting such meetings to "matters relating to an actual, proposed, or threatened lawsuit in which the board or government agency under which the board falls is named as a party."

"As rewritten by the Conference Committee, this restriction has now been broadened to permit closed meetings "on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

"Clearly, any legitimate agenda item is an issue pertaining to the board's duties. Thus, this Conference Draft could be construed to permit a closed meeting to consult with counsel on the substance of any agenda item. As a

result, this language would cloak with legitimacy, meetings in which major public decisions are made behind closed doors. This is an unfortunate and dangerous loophole which can hide administrative actions from legislative and public scrutiny.

"The original intent of this provision of the Sunshine Law, which was clarified by the Senate Draft of this Bill, was to protect the public's interest. The intent was not to protect a board from the public."

"Future legislative action to close this loophole is necessary. I fully concur with the Sunshine Coalition that the Legislature must be specific in this portion of the Bill. We must return to the original intent of this section of the Sunshine Law by limiting closed meetings with attorneys to those situations in which attorney/client confidentiality is essential to protect the public's interest in an actual or threatened lawsuit.

"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. 1413, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS", having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 1413 had passed Final Reading at 4:36 o'clock p.m.

ANNOUNCEMENTS

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

Representative Souki: "This is just to remind the Budget Conferees to be at Room 310 at 5:00 p.m. Please be prompt."

Representative Kawakami: "Immediately following your announcement for recess, the Majority will have a caucus in the Majority Caucus Room to complete reviews on conference bills."

Representative Ikeda: "There will be a Republican caucus at 9:00 a.m. on Monday morning."

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

"PROCLAMATION

We, Richard S.H. Wong, President of the Senate, and Henry Haalilio Peters, Speaker of the House of Representatives, of the Thirteenth Legislature of the State of Hawaii, Pursuant to the power vested in us by Section 10, Article III of the Constitution of the State of Hawaii, and at the written request of two-thirds of the members to which each house is entitled, do hereby extend the Regular Session of 1985 of the Thirteenth Legislature of the State of Hawaii for a period of One Day beyond the Sixtieth day of the 1985 Regular Session, excluding Saturdays, Sundays, holidays and any days in recess pursuant to a concurrent resolution.

/s/ Richard H. Wong

President of the Senate

/s/ Henry Haalilio Peters

Speaker of the House
of Representatives

"THE THIRTEENTH LEGISLATURE

State of Hawaii
State Capitol
Honolulu, Hawaii

April 19, 1985

To the Speaker of the House of Representatives and the President of the Senate:

Your petitioners, members of the House of Representatives and of the Senate of the Thirteenth Legislature of the State of Hawaii, respectfully request an extension of 1 day beyond the sixtieth day of the Regular Session of 1985 of the Thirteenth Legislature of the State of Hawaii.

Signed by all members of the Senate

Signed by all members of the House."

At 4:40 o'clock p.m., the Chair declared the House in recess and the Journal to remain open for the purpose of receiving all Conference Committee Reports.

CONFERENCE COMMITTEE REPORTS

Representatives Kiyabu and Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the

Senate in H.B. No. 99, HD1, SD2, presented a report (Conf. Com. Rep. No. 62) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 62 on H.B. No. 99, HD1, SD2, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 99, HD1, SD2, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Taniguchi and Takamine, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1393, HD2, SD1, presented a report (Conf. Com. Rep. No. 63) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 63 on H.B. No. 1393, HD2, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1393, HD2, SD1, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Kiyabu and Yoshimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 134, HD1, SD1, presented a report (Conf. Com. Rep. No. 64) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 64 on H.B. No. 134, HD1, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 134, HD1, SD1, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Kiyabu and Yoshimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 146, HD1, SD1, presented a report (Conf. Com. Rep. No. 65) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, considera-

tion of Conf. Com. Rep. No. 65 on H.B. No. 146, HD1, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 146, HD1, SD1, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Kiyabu and Yoshimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate on H.B. No. 147, HD1, SD1, presented a report (Conf. Com. Rep. No. 66) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 66 on H.B. No. 147, HD1, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 147, HD1, SD1, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representative Kiyabu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House on S.B. No. 239, SD2, HD1, presented report (Conf. Com. Rep. No. 67) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 67 on S.B. No. 239, SD2, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 239, SD2, HD1, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Kiyabu and Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House on S.B. No. 1198, SD2, HD1, presented a report (Conf. Com. Rep. No. 68) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 68 on S.B. No. 1198, SD2, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1198, SD2, HD1, CD1, were made available to the members of the House no later

than 12:00 o'clock midnight.

Representatives Kiyabu and Yoshimura, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House on S.B. No. 589, SD2, HD1, presented a report (Conf. Com. Rep. No. 69) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 69 on S.B. No. 589, SD2, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 589, SD2, HD1, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Kiyabu and Honda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House on S.B. No. 20, SD1, HD1, presented a report (Conf. Com. Rep. No. 70) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 70 on S.B. No. 20, SD1, HD1, CD1, was deferred, 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, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Kiyabu and Levin, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House on S.B. No. 1287, SD2, HD2, presented a report (Conf. Com. Rep. No. 71) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 71 on S.B. No. 1287, SD2, HD2, CD1, was deferred, 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, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Kiyabu and Levin, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House on S.B. No. 1286, SD2, HD2, presented a report (Conf. Com. Rep.

No. 72) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 72 on S.B. No. 1286, SD2, HD2, CD1, was deferred, 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, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Kiyabu and Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House on S.B. No. 463, SD1, HD2, presented a report (Conf. Com. Rep. No. 73) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 73 on S.B. No. 463, SD1, HD2, CD1, was deferred, 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, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Tungpalan and Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate on H.B. No. 463, HD2, SD2, presented a report (Conf. Com. Rep. No. 74) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 74 on H.B. No. 463, HD2, SD2, CD2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 463, HD2, SD2, CD2, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Kiyabu and Yoshimura, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House on S.B. No. 471, SD2, HD1, presented a report (Conf. Com.

Rep. No. 75) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 75 on S.B. No. 471, SD2, HD1, CD1, was deferred, 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, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representatives Kiyabu and Taniuchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate on H.B. No. 281, HD2, SD2, presented a report (Conf. Com. Rep. No. 76) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 76 on H.B. No. 281, HD2, SD2, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 281, HD2, SD2, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

Representative Kiyabu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House on S.B. No. 384, HD1, presented a report (Conf. Com. Rep. No. 77) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 77 on S.B. No. 384, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 384, HD1, CD1, were made available to the members of the House no later than 12:00 o'clock midnight.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 10:00 o'clock a.m. Monday, April 22, 1985.

SIXTY-FIRST DAY

Monday, April 22, 1985

The House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 10:35 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend William Terbeek of The Hawaii Council of Churches, after which the Roll was called showing all members present with the exception of Representatives Blair, Cavasso, Crozier and Morgado, who were excused.

By unanimous consent, reading of the Journal of the House of Representatives of the Sixtieth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 107 to 111) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 107) informing the House that on April 15, 1985, he signed the following bills into law:

Senate Bill No. 1318 as Act 21, entitled: "RELATING TO DERELICT VEHICLE";

House Bill No. 284 as Act 22, entitled: "RELATING TO DRAWBRIDGE ACROSS SECOND CHANNEL INTO HONOLULU HARBOR"; and

House Bill No. 720 as Act 23, entitled: "RELATING TO MOTOR AND OTHER VEHICLES";

was placed on file.

A message from the Governor (Gov. Msg. No. 108) informing the House that on April 18, 1985, he signed the following bills into law:

House Bill No. 262 as Act 24, entitled: "RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING";

House Bill No. 421 as Act 25, entitled: "RELATING TO MEDICINE";

House Bill No. 490 as Act 26, entitled: "RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE"; and

House Bill No. 838 as Act 27, entitled: "RELATING TO TRAILER REGISTRATIONS";

was placed on file.

A message from the Governor (Gov. Msg. No. 109) transmitting copies of the University of Hawaii Report, pursuant to House Resolution 304 (1984), requesting the University of Hawaii's Department of Urban and Regional Planning, in consultation with the Department of Land and Natural Resources, the Department of Hawaiian Home Lands and the Office of Hawaiian Affairs, to study the feasibility of setting aside State lands to permit certain residents to practice a subsistence life style, was placed on file.

A message from the Governor (Gov. Msg. No. 110) transmitting copies of the report in response to House Resolution No. 118 (1984), requesting a cost estimate of providing essential interpreter services for the hearing-impaired population, prepared by the Department of Health, was placed on file.

A message from the Governor (Gov. Msg. No. 111) transmitting copies of the final report on the newly formed centralized Workers' Compensation Unit in the Department of Personnel Services, pursuant to Section 71A of Act 285, Appropriations Act, 1984 Session Laws of Hawaii, was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 691 to 709) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 691) transmitting Senate Concurrent Resolution No. 61, SD 1, requesting a study and recommendations on altering the Board of Dental Examiners to include greater representation by dental hygienists and representation by dental auxiliaries, which was adopted by the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 692) transmitting Senate Concurrent Resolution No. 76, requesting the Department of Planning and Economic Development to under-

take a program of educational and promotional activities on employee stock ownership and to form an employee stock ownership advisory committee, which was adopted by the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 693) transmitting Senate Concurrent Resolution No. 83, SD 1, requesting the Department of Accounting and General Services, the Department of Education, and the Department of Transportation to conduct a study to implement a change in school hours to reduce peak-hour traffic congestion, which was adopted by the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 694) transmitting Senate Concurrent Resolution No. 84, requesting the Department of Commerce and Consumer Affairs to conduct a study of the medical malpractice insurance system, which was adopted by the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 695) transmitting Senate Concurrent Resolution No. 114, SD 1, requesting a study to determine methods to control the growth of and to eliminate potentially dangerous stands of Molucca Albizia in the State, which was adopted by the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 696) transmitting Senate Concurrent Resolution No. 121, SD 1, relating to the establishment of environmental and recreational safeguards regulating State-licensed maricultural operations and ocean leasing in the sea waters of the State, which was adopted by the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 697) transmitting Senate Concurrent Resolution No. 135, requesting a study on the feasibility of establishing a statewide kapu system to protect and manage Hawaii's ocean resources, which was adopted by the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 698) transmitting Senate Concurrent Resolution No. 136, SD 1, 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, which was adopted by the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 699) transmitting Senate Concurrent Resolution No. 138, 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, H.D. 1, which requests a study on the feasibility of setting aside State lands for the practice of subsistence lifestyles, which was adopted by the Senate on April 19, 1985, was placed on file.

By unanimous consent, S.C.R. Nos. 61, SD 1; 76; 83, SD 1; 84; 114, SD 1; 121, SD 1; 135; 136, SD 1; and 138 were placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 700) returning House Concurrent Resolution No. 73, HD 1 (SD 1), requesting the federal government to take certain actions to assist schizophrenics, which was adopted by the Senate on April 19, 1985, in an amended form, was placed on file.

By unanimous consent, H.C.R. No. 73, HD 1, as amended by the Senate, was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 701) returning House Bill No. 154, which passed Third Reading in the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 702) returning House Bill No. 219, which passed Third Reading in the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 703) returning House Bill No. 905, HD 1, which passed Third Reading in the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 704) returning House Bill No. 1000, which passed Third Reading in the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 705) informing the House that the following conference drafts passed Final Reading in the Senate on April 19, 1985: Senate Bill Nos. 76, SD 1, HD 1, CD 1; 1408,

SD 2, HD 1, CD 1; 1224, SD 1, HD 1, CD 1; 93, HD 1, CD 1; 90, SD 1, HD 1, CD 1; 78, SD 1, HD 2, CD 1; 249, SD 1, HD 1, CD 1; 1264, SD 1, HD 1, CD 1; 133, SD 1, HD 1, CD 1; 1358, SD 1, HD 2, CD 1; 854, SD 1, HD 1, CD 1; 253, SD 1, HD 1, CD 1; 461, SD 1, HD 1, CD 1; 462, SD 1, HD 1, CD 1; 1413, SD 1, HD 1, CD 1; 610, SD 1, HD 1, CD 1; 1353, SD 1, HD 1, CD 1; 153, SD 1, HD 2, CD 1; 149, SD 1, HD 1, CD 1; and House Bill Nos. 165, SD 1, CD 1; 1162, HD 1, SD 1, CD 1; 1386, SD 1, CD 1; 188, SD 1, CD 1; 268, SD 1, CD 1; 488, HD 1, SD 1, CD 1; 830, HD 1, SD 1, CD 1; 89, HD 1, SD 2, CD 1; 519, SD 1, CD 1; 329, HD 1, SD 2, CD 1; 1257, SD 1, CD 1; 28, HD 1, SD 1, CD 1; 104, HD 2, SD 1, CD 1; 436, HD 2, SD 2, CD 1; 776, HD 2, SD 1, CD 1; 1285, HD 2, SD 1, CD 1; 1231, HD 2, SD 1, CD 1; 266, HD 1, SD 1, CD 1; 453, HD 1, SD 1, CD 1; 229, HD 2, SD 1, CD 1; and 557, HD 1, SD 1, CD 1, was placed on file.

A communication from the Senate (Sen. Com. No. 706) informing the House that the Senate has reconsidered its action taken on April 4, 1985, in disagreeing to the amendments proposed by the House to Senate Bill No. 237, SD 2; that said amendments were agreed to by the Senate and Senate Bill No. 237, SD 2, HD 1, passed Final Reading in the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 707) informing the House that the Senate has reconsidered its action taken on April 4, 1985, in disagreeing to the amendments proposed by the House to Senate Bill No. 937, SD 2; that said amendments were agreed to by the Senate and Senate Bill No. 937, SD 2, HD 2, passed Final Reading in the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 708) informing the House that the Senate has reconsidered its action taken on April 4, 1985, in disagreeing to the amendments proposed by the House to Senate Bill No. 1170; that said amendments were agreed to by the Senate and Senate Bill No. 1170, HD 2, passed Final Reading in the Senate on April 19, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 709) 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. 1089, SD 2 (HD 1), were agreed to by the Senate on April 19, 1985, was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 3 to 5) were read by the Clerk and were disposed of as follows:

A communication from A. Mario Castillo, Chief of Staff, Committee on Agriculture, U.S. House of Representatives (Misc. Com. No. 3) acknowledging receipt of a copy of House Concurrent Resolution No. 6, was placed on file.

A communication from T.B. Kinney, Jr., Administrator, Agricultural Research Service, U.S. Department of Agriculture (Misc. Com. No. 4) acknowledging receipt of a copy of House Resolution No. 154, concerning irradiation of papaya, was placed on file.

A communication from Anne Higgins, Special Assistant to the President and Director of Correspondence, The White House (Misc. Com. No. 5) acknowledging receipt of House Resolution No. 167, was placed on file.

ORDER OF THE DAY

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, S.C.R. No. 123 was taken from the Clerk's desk.

On motion by Representative Okamura, seconded by Representative Ikeda and carried, S.C.R. No. 123 was adopted.

By unanimous consent, S.C.R. No. 139 was taken from the Clerk's desk.

On motion by Representative Okamura, seconded by Representative Ikeda and carried, S.C.R. No. 139 was adopted.

At 10:40 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

NIGHT SESSION

The House of Representatives

reconvened at 9:45 o'clock p.m.

The Chair then directed the Clerk to note the presence of Representatives Blair, Cavasso and Morgado.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 710 to 720) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 710) returning House Concurrent Resolution No. 62, HD 1, which was adopted by the Senate on April 22, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 711) returning House Concurrent Resolution No. 78, HD 2, which was adopted by the Senate on April 22, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 712) returning House Concurrent Resolution No. 124, HD 1, which was adopted by the Senate on April 22, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 713) returning House Concurrent Resolution No. 131, which was adopted by the Senate on April 22, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 714) returning House Bill No. 20, HD 2, which passed Third Reading in the Senate on April 22, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 715) returning House Bill No. 1272, which passed Third Reading in the Senate on April 22, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 716) informing the House that the following conference drafts have passed Final Reading in the Senate on April 22, 1985: Senate Bill Nos. 615, SD 1, HD 2, CD 1; 201, SD 1, HD 1, CD 1; 224, HD 1, CD 1; 932, SD 1, HD 1, CD 1; 309, SD 1, HD 1, CD 1; 539, SD 1, HD 1, CD 1; 588, SD 1, HD 1, CD 1; 665, SD 1, HD 2, CD 1; 726, SD 2, HD 2, CD 1; 460, SD 2, HD 2, CD 1; 459, SD 2, HD 2, CD 1; 1186, SD 2, HD 1, CD 1; 702, SD 2, HD 2, CD 1; 1286, SD 2, HD 2, CD 1; 239, SD 2, HD 1, CD 1; 589, SD 2, HD 1, CD 1; 1287, SD 2, HD 2, CD 1; and House Bill Nos. 1, HD 1, SD 1, CD 1; 995, HD 2, SD 1, CD 1; 40, SD 1, CD 1; 347, HD 1, SD 1, CD 1; 49, HD 2, SD 2, CD 1; 101, HD 1, SD 2, CD 1;

1393, HD 2, SD 1, CD 2; and 281, HD 2, SD 2, CD 1, was placed on file.

A communication from the Senate (Sen. Com. No. 717) informing the House that the following conference drafts have passed Final Reading in the Senate on April 22, 1985: Senate Bill Nos. 1198, SD 2, HD 1, CD 1; 463, SD 1, HD 2, CD 1; 20, SD 1, HD 1, CD 1; 384, HD 1, CD 1; and House Bill Nos. 99, HD 1, SD 2, CD 1; 463, HD 2, SD 2, CD 2; 134, HD 1, SD 1, CD 1; 146, HD 1, SD 1, CD 1; and 147, HD 1, SD 1, CD 1, was placed on file.

A communication from the Senate (Sen. Com. No. 718) informing the House that Senate Bill No. 1089, SD 1, HD 1, passed Final Reading in the Senate on April 22, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 719) informing the House that Senate Bill No. 64, SD 2, HD 1, passed Final Reading in the Senate on April 22, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 720) informing the House that Senate Bill No. 1354, SD 1, HD 2, passed Final Reading in the Senate on April 22, 1985, was placed on file.

A communication from the Senate (Sen. Com. No. 721) returning House Bill No. 813, HD 3, which passed Third Reading in the Senate on April 22, 1985, was placed on file.

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 and Final Readings on the basis of a modified consent calendar.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 54 on H.B. No. 1, HD 1, SD 1, CD 1:

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

Representative Kiyabu rose and stated:

"Mr. Speaker, it gives me great pleasure to rise and speak in favor of House Bill No. 1, House Draft 1, Senate Draft 1, Conference Draft 1.

"Mr. Speaker, the bill before you appropriates \$3.015-billion in general funds for the operations of the State government over the next two years. It also includes \$336-million for capital improvement projects.

"Mr. Speaker, this budget represents a new direction in funding. Your Committee has set the foundation to strengthen Hawaii's business climate; improve and build our educational system; and resolve social problems such as child abuse.

"In economic development, this bill includes \$1-million to support high technology development through research and marketing of Hawaii as a high tech center; \$2.7-million for tourism development for the Hawaii Visitors Bureau so that it can intensify marketing in Asia and the Pacific. We also provided funds for market studies which will help the Visitors Bureau to be more effective.

"For our public schools, we provided basic support to the intermediate schools which are an important transition period in the lives of our children. We included \$2.5-million for early identification of children with special learning problems so as to provide them with needed support on a timely basis. We recognized the uniqueness of each school by giving them more flexibility to meet their specific needs. We increased the school priority fund allotment from \$10 per student to \$17 per student. We provided \$40-million for much needed repair and maintenance of our school grounds and buildings.

"For our University, we set the foundation to establish it as a leading institution of higher learning by providing basic support funding. These include \$2.9-million for books to expand and update library resources; \$2.9-million to replace and purchase equipment to support classroom learning and research; \$2.8-million for much needed repair and maintenance to all our University campuses; and finally, to support the expanding demand for high technology and computer science education, your Committee provided \$1.4-million to upgrade the University's computer program.

"To meet the problems of child abuse and neglect, your Committee

provided funding for additional services and strengthened the State's Child Protective Service Agency; specifically, \$2-million has been provided in each year for child abuse prevention and treatment services; and 49 additional positions have been provided to the Child Protective Services Unit of the Department of Social Services.

"However, while our financial condition seems sound, I do not think it is good enough to give us the fiscal latitude to fully develop programs which will ensure the quality of life in the 1990's. As you are well aware, this year, we reviewed the tax relief and revenue enhancement plan as a means to achieve our vision for Hawaii's future. Unfortunately, we were not able to succeed in our efforts to pass that measure. However, the commitment to Hawaii's people has not been lost. I fully expect to continue to pursue this matter in the future.

"In closing, Mr. Speaker, I wish to thank the members of the Finance Committee and my staff, for their patience and diligence during the long hours of the Conference Committee deliberations. This budget is the result of much hard work on the part of everyone involved, and I am proud to support it.

"Thank you."

Representative Shon rose and stated:

"Mr. Speaker, I rise to speak in favor of this budget with a few reservations.

"I would first like to express my pleasure and the gratitude of dozens of people who work in the ocean programs for the support this budget does provide for ocean affairs in Hawaii. The budget contains funds for the Aquarium, for the Blue Water Marine Laboratory, for hyperbaric chamber facilities and for the Sea Grant Program.

"Mr. Speaker, we've all grown almost tired of the cliché that Hawaii is surrounded by an ocean; it is considered self-evident; it is considered something we support automatically. At least that is the common impression.

"Unfortunately, this is not the case.

"The treatment of ocean programs, both by the Administration and the

Legislature, is reminiscent of Lewis Carroll's, Tale of the Walrus and the Carpenter, who conspired to seduce the unsuspecting oysters to follow them down their path. 'O, Oysters, come and walk with us!' the Walrus did beseech. 'A pleasant talk, a pleasant walk, along the briny beach.'

"Mr. Speaker, for over fifteen years, Hawaii has lured the best and the brightest of our ocean people into government with promises of adequate budgets and flowery speeches which paint pictures of enthusiastic support. Yet, year after year, we find that the administrators of such programs are treated to be frank as if they were some kind of con artist, as if they were trying to pull a fast one on us. Ah, but we've seen right through them haven't we? We haven't been duped into believing that there really is an ocean or that those swimmers and engineers and sailors have something to contribute.

"I am saddened to report, Mr. Speaker, that the number one priority for your Ocean and Marine Resources Committee -- a mere \$100,000 for ocean mapping, did not make it into this budget. Indeed this budget has things in common with the University, for the number one priority of the University -- a computerized educational system known as Plato, also did not make it into this budget.

"Mr. Speaker, I have observed the fate of these ocean programs year after year as they struggle and it is quite evident that we have developed a habit, perhaps a cruel hobby, of plucking these struggling and worthwhile programs at the very last minute from the jaws of budget cutters. 'It seems a shame,' the Walrus said, 'to play them such a trick, after we've brought them out so far, and made them trot so quick!' The Carpenter said nothing but 'The butter's spread too thick!' 'I weep for you,' the Walrus said, 'I deeply sympathize.' With sobs and tears he sorted out those of the largest size, holding his pocket-handkerchief before his streaming eyes. 'O, Oysters,' said the Carpenter, 'you've had a pleasant run! Shall we be trotting home again?' 'But answer came there none -- and this was scarcely odd, because they'd eaten every one.'

"Mahalo."

Representative Andrews rose and stated:

"Mr. Speaker, I rise to speak in favor of the environmental protection section of this budget as it relates to pesticides.

"Mr. Speaker, we have had some problems in this area in the past, and certainly maybe, at present. Mr. Speaker, more often than not, when we have a problem, there is always someone who stands up and says, 'There ought to be a law.'

"Well, in fact, Mr. Speaker, if you will check, you will find there is a law, and in the case of pesticides, you'll find there are many laws. There are federal laws, there are State laws, and they are all accompanied by a maze of rules and regulations.

"What we need today is not more laws, Mr. Speaker, but what we need is better enforcement of our present laws.

"This must be accompanied by providing the means by which the responsible departments can enforce these laws. We need to provide education for the applicators of pesticides so that, when necessary, they will be applied in a safe and environmentally sound manner.

"And, Mr. Speaker, we need to conduct research, to reduce our dependency on chemical pesticides, so that the agricultural industries can continue to survive, yet survive in an environmentally sound climate.

"Mr. Speaker, in this year's legislative session, we have done this.

"The budget provides for personnel to do additional inspections, so the Department of Agriculture can better enforce the laws already in place.

"The budget provides for numerous appropriations, one of which is \$60,000 for educational programs to ensure that farmers will properly use pesticides.

"Mr. Speaker, the budget extends and increases the budget for the Office of Environmental Quality Control's program to develop an integrated pesticide policy which I will skip for the time being.

"Mr. Speaker, the budget includes money to address the problem of nematode control in the pineapple industry, an area that is suspected of causing the many problems we've had with our potable water supply.

"This includes \$70,000 for research of fumigants and non-volatile chemicals for nematode control. It provides for \$85,000 for research for cultural and biological control measures to reduce nematode populations; and it provides for \$5,000 for research for biological control of nematodes under green-house conditions.

"Mr. Speaker, the budgetary appropriations, along with the hopeful passage of a bill later on this evening, and that bill will require the Department of Agriculture to suspend, cancel, or restrict the use of pesticides when such usage is deemed to have unreasonable adverse effects on the environment, a bill which will require action well before we reach guidelines set by the Environmental Protection Agency.

"Along with continued funding of programs that have made our State a world-wide leader in the control of insects and other plant pest through biological means, and along with continued emphasis by the Department of Agriculture's program on integrated pest management, a program that has had many success stories in reducing our dependency on chemical pesticides, we have brought us closer than ever before to our goal of reducing our dependency on chemical pesticides. And when pesticides must be used, we are assured they are used in a way that is in concert with our fragile environment.

"No, Mr. Speaker, we do not need more laws in this area. We need to do what we have done this year. We need to increase and continue to increase budgetary appropriations for research, education, and continue to provide the departments responsible for managing a healthful environment, the means to do so.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 1, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. No. 1 had passed Final Reading at 10:02 o'clock p.m.

At 10:03 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

Stand. Com. Rep. No. 957 on S.B. No. 245:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 245, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REVISED STATUTES", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Crozier being excused.

Stand. Com. Rep. No. 960 on S.B. No. 154, SD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 154, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Crozier being excused.

Stand. Com. Rep. No. 963 on S.B. No. 1195, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1195, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION AND REFUNDING OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. Nos. 245, 154 and 1195 had passed Third Reading at 10:13 o'clock p.m.

Stand. Com. Rep. No. 967 on S.B. No. 1392:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1392, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS", having been read throughout, passed Third Reading by a vote of 50 ayes, with Represent-

tative Crozier being excused.

Stand. Com. Rep. No. 968 on S.B. No. 1397, SD 2:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 1397, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND EVALUATION AND SITE ASSESSMENT", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Crozier being excused.

Stand. Com. Rep. No. 970 on S.B. No. 36, SD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 36, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. Nos. 1392, 1397 and 36 had passed Third Reading at 10:14 o'clock p.m.

Stand. Com. Rep. No. 986 on S.B. No. 557:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 557, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Crozier being excused.

Stand. Com. Rep. No. 987 on S.B. No. 714:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and S.B. No. 714, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS", having been read

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

The Chair directed the Clerk to note that S.B. Nos. 557 and 714 had passed Third Reading at 10:15 o'clock p.m.

Stand. Com. Rep. No. 988 on S.B. No. 936:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 936, having been read throughout, pass Third Reading, seconded by Representative Souki.

Representative Marumoto rose to speak against the bill, stating:

"My reservations on this project have not to do with the private development of a hotel and office building but with two other perceived problems.

"When this project first surfaced several years ago, we expected to spend \$10-million of State money on the improvements to the area. We are now proposing to spend \$35-million. I think that is a bit excessive.

"And secondly, there are still unresolved problems of the ceded land.

"The probable developers are aware of this problem and their commitment is contingent upon resolution of the question of ownership. If this is the case, I don't see why we are appropriating the State money now before the ceded land's problem is solved. This resolution may take many years and I feel that this should be solved before we use State money for this particular project.

"I would like to see it go one of these days, using mostly private money. But at this time, I feel that there are too many unresolved problems with this project.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 936, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REDEVELOPMENT OF THE ALOHA TOWER COMPLEX", having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Marumoto voting no, and Representative Crozier being

excused.

The Chair directed the Clerk to note that S.B. No. 936 had passed Third Reading at 10:17 o'clock p.m.

Conf. Com. Rep. No. 42 on S.B. No. 610, SD 1, HD 1, CD 1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 610, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. No. 610 had passed Final Reading at 10:18 o'clock p.m.

Conf. Com. Rep. No. 43 on S.B. No. 1353, SD 1, HD 1, CD 1:

Representative Andrews moved that the report of the Committee be adopted and S.B. No. 1353, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Honda.

Representative Pfeil then rose and stated:

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

"Mr. Speaker, this Legislature needs to be stronger in its approach to the State's pesticide-contaminant problem. We have added four people to the pesticide branch of the Department of Agriculture, more people and more equipment to the Department of Health lab, passed a resolution (rather than a bill) politely opposing blanket aerial spraying of malathion to control the fruit fly, and passed a resolution asking the Department of Health to study any correlation between pesticide use and birth defects on Molokai and Lanai, and this bill before us, which is another small step.

"However, we need to more adequately address our State's serious contaminant problem. Mr. Speaker, we are a policy-making body, and three years have passed without our making substantial environmental policy regarding EDB, Heptachlor, and other contaminants to our environment. We have neither created the means to avert, nor cope with, another contaminant crisis.

"And, Mr. Speaker, conspicuously missing is a requirement for pesticide applicators and farmers to keep long-term records of the what, where and when of their chemical use, open for periodic inspection. I well know this may be an additional burden, but it would be the responsible thing to do. If a contaminant problem were to arise later, we would have immediate access to the cause through spraying records. Sales records and lengthy, incomplete investigations after a disaster are simply not enough. We have been reactive, and should be proactive.

"Mr. Speaker, the Legislature must come to better grips with the real threat of contaminants in our environment, and I hope next year, more meaningful policy statements, and a record-keeping measure, would be favorably received.

"Thank you, Mr. Speaker, for allowing me to make these constructive comments."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1353, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. No. 1353 had passed Final Reading at 10:19 o'clock p.m.

Conf. Com. Rep. No. 44 on H.B. No. 229, HD 2, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.B. No. 229, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

Conf. Com. Rep. No. 45 on H.B. No. 557, HD 1, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.B. No. 557, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPARATIONS", having been read throughout, passed

Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. Nos. 229 and 557 had passed Final Reading at 10:20 o'clock p.m.

Conf. Com. Rep. No. 46 on H.B. No. 995, HD 2, SD 1, CD 1:

Representative Shito moved that the report of the majority of the Committee be adopted and H.B. No. 995, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Bunda.

Representative Blair rose to speak against the measure, stating:

"I would, in the first instance, direct the members' attention to page 2 of the Committee Report which states, and I would quote directly: 'In short, this bill would allow Native Hawaiians who have learned from a kupuna the traditional Hawaiian art of massage, commonly referred to as "lomilomi", to become massage therapists.'

"Mr. Speaker, this statement is in fact not true. There is no requirement that the person who is to be exempted from some of the requirements have studied 'lomilomi' for any period of time with the kupuna or anyone else.

"More to the point, Mr. Speaker, is page 1, the third paragraph begins: 'Your Committee is of the opinion that Native Hawaiians, as aboriginal people, have special innate talents which should be recognized as unique, and therefore exempted from stringent licensing requirements.'

"I don't think we have to reflect upon that statement for very long to realize what the implications of it are, Mr. Speaker, and I would urge all of the members to vote against this bill.

"Thank you."

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

"Mr. Speaker, I am never surprised by opposition to the suggestion that Native Hawaiians should, as Native American aboriginal peoples, be singled out for exception to the law with respect to traditional and customary cultural practices. To be sure, Mr. Speaker, the issue here is not the practice of lomilomi. The

issue here is whether Native Hawaiians can validly pursue exception to the law and if so, on what basis should these exceptions be granted.

"Mr. Speaker, the special status accorded to Native Americans has time and time again been confirmed by the Congress and reconfirmed through the legal process which gives special emphasis to protection of religious and cultural practices by indigenous peoples.

"There are numerous precedents in federal law and subsequent challenges to these laws that have been upheld by the Supreme Court. These precedents include Title VII: The Native American Program Act; Title III: The Native American Employment and Training Act; The Hawaiian Homes Commission Act of 1921; The Native American Vocational Education Program; and one that has a direct bearing on the issue before us -- The American Indian Religious Freedom Act -- which upholds the right of indigenous peoples to practice their culture as well as their religion.

"Mr. Speaker, I suspect that the bottom line here is that as long as these exceptions are kept out of the marketplace, there would be less opposition. But since we're talking about money and the application of a native practice for the purpose of financial gain, the Native Hawaiian is once again in deep kim chee. More astonishing to me is the blatant fact that when others find ways to exploit the Hawaiian culture for profit, then it's okay. I cite you the curious law that makes the construction of a thatched shelter, better known to us as a halau or grass shack, a law that forbids this type of construction except on property that is zoned resort. Now isn't that a valid exception!

"Mr. Speaker, this bill is more symbolic than substantive in that I doubt that we will see a rush of Native Hawaiian masseurs and masseuses filling up the yellow pages if this bill is passed. This bill is more a 'stand up and be counted bill' on the broader issue of whether or not we agree with the federal government and the Supreme Court who, in the case of Morton versus Mancari, upheld the lower courts decision that hiring preferences could be extended to a certain group of aboriginal people without violating the equal protection under the law clause.

"In closing, Mr. Speaker, I wish to

once again express the need for this Legislature to address Article XII, Section 7, of the Hawaii State Constitution that directs the State to reaffirm and protect traditional and customary native rights for subsistence, cultural, and religious purposes. By doing so, Mr. Speaker, we would provide ourselves with the opportunity to construct a much better framework in which bills like the one before us could be better addressed. However, in the absence of such an effort or the likelihood that such an effort will ever take place, I ask this House to support this bill with a 'yes' vote.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and H.B. No. 995, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", having been read throughout, passed Final Reading by a vote of 43 ayes to 7 noes, with Representatives Blair, Hemmings, Jones, Levin, Liu, Menor and Onouye voting no, and Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. No. 995 had passed Final Reading at 10:24 o'clock p.m.

Conf. Com. Rep. No. 47 on H.B. No. 453, HD 1, SD 1, CD 1:

On motion by Representative Taniguchi, seconded by Representative Oshiro and carried, the report of the Committee was adopted and H.B. No. 453, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

Conf. Com. Rep. No. 48 on S.B. No. 854, SD 1, HD 1, CD 1:

On motion by Representative Taniguchi, seconded by Representative Oshiro and carried, the report of the Committee was adopted and S.B. No. 854, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTIONS OF MOTOR CARRIER VEHICLES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. No. 453 and S.B. No.

854 had passed Final Reading at 10:25 o'clock p.m.

Conf. Com. Rep. No. 49 on S.B. No. 932, SD 1, HD 1, CD 1:

On motion by Representative Shito, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.B. No. 932, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGREEMENTS OF SALE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

Conf. Com. Rep. No. 50 on S.B. No. 201, SD 1, HD 1, CD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 201, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. Nos. 932 and 201 had passed Final Reading at 10:26 o'clock p.m.

Conf. Com. Rep. No. 51 on H.B. No. 40, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.B. No. 40, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

Conf. Com. Rep. No. 52 on S.B. No. 224, HD 1, CD 1:

On motion by Representative Shito, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.B. No. 224, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. No. 40 and S.B. No. 224 had passed Final Reading at 10:27

o'clock p.m.

Conf. Com. Rep. No. 53 on H.B. No. 347, HD 1, SD 1, CD 1:

Representative Shito moved that the report of the Committee be adopted and H.B. No. 347, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Bunda.

Representative Shito rose and stated:

"Mr. Speaker, on the Committee Report, on the last page, may it be reflected in the Journal that there is language missing and the last sentence should read: '...Corporation Act (HBCA), to July 1, 1987. Accordingly, the July. . .' which was omitted on the diskette on the Committee Report."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 347, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. No. 347 had passed Final Reading at 10:28 o'clock p.m.

Conf. Com. Rep. No. 55 on S.B. No. 539, SD 1, HD 1, CD 1:

On motion by Representative Shito, seconded by Representative Andrews and carried, the report of the Committee was adopted and S.B. No. 539, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ALARM BUSINESSES", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Jones voting no, and Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. No. 539 had passed Final Reading at 10:29 o'clock p.m.

Conf. Com. Rep. No. 56 on S.B. No. 309, SD 1, HD 1, CD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 309, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

INSURANCE FOR MOTOR VEHICLES AND OTHER VEHICLES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

Conf. Com. Rep. No. 57 on S.B. No. 726, SD 2, HD 2, CD 1:

On motion by Representative Shito, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 726, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. Nos. 309 and 726 had passed Final Reading at 10:30 o'clock p.m.

Conf. Com. Rep. No. 58 on S.B. No. 665, SD 1, HD 2, CD 1:

On motion by Representative Shito, seconded by Representative Tajiri and carried, the report of the Committee was adopted and S.B. No. 665, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

Conf. Com. Rep. No. 59 on S.B. No. 588, SD 1, HD 1, CD 1:

On motion by Representative Shito, seconded by Representative Andrews and carried, the report of the Committee was adopted and S.B. No. 588, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Oshiro voting no, and Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. Nos. 665 and 588 had passed Final Reading at 10:31 o'clock p.m.

Conf. Com. Rep. No. 29 on H.B. No. 776, HD 2, SD 1, CD 1:

Representative Gaulty moved that the report of the Committee be adopted and H.B. No. 776, HD 2, SD 1, CD 1, having been read through-

out, pass Final Reading, seconded by Representative Leong.

Representative Graulty rose and stated:

"Mr. Speaker, I wish to make a few comments in support of House Bill 776.

"On February 20th of this year, the Legislative Auditor submitted to members of the Legislature his report on the regulation of child care in Hawaii. The study confirmed what many of us either knew or had begun to believe about our child care system; that it was limited of undeterminable quality, that objectives were confused, and that our administrative rules were so burdensome it was hard to believe that any person would voluntarily submit to licensing. We were no closer to good child care in Hawaii with our rules than we were without our rules. Nine out of every ten day care homes in our State refused to submit to licensing even when we made it a criminal offense for them not to do so.

"House Bill 776 sets out in the right direction, I believe, certain policy objectives for child care in Hawaii.

"First, that after-school care, the bulk of which are conducted at DOE facilities, is not a cause for concern at this time. The majority of after-school programs are operated by the PTA's of the various schools, the YWCA and the YMCA. The Legislature, by enacting House Bill 776, demonstrates that it does not see the need to unnecessarily add to the cost of such care.

"Second, the Legislature rejects the recommendation that parents should be responsible for monitoring placements of their children in family day care homes, in preschools, and in other group day care facilities. Our ability to assure the safety of children in family day care homes and preschools far exceeds the ability of parents on their own to satisfy their worst fears and concerns.

"Third, in enacting House Bill 776, the Legislature rejects the recommendation that for family child care homes, voluntary registration is the answer. Our information is that it hasn't worked in the states which have used it, and our legislative judgment is that it will not work in our State either.

"House Bill 776, therefore, leaves

the regulation of preschools and group day care homes intact and provides for mandatory registration of family day care homes.

"Your Committee on Human Services, Mr. Speaker, is aware that there is a vast underground economy in unregulated child care in Hawaii. While your Committee has worked hard to fashion the outlines of a child care system that can work, it will work only if future sessions of the Legislature support the program of incentives identified in House Bill 776, by assisting applicants in obtaining registration and complying with minimum requirements rather than criminalizing them, by providing referrals to parents of regulated family day care homes, by making training available to providers of care, particularly training in infant and toddler care, to avoid the harmful effects of sensory deprivation, and poor early childhood development, by assisting providers in complying with business and tax regulations and requirements, and by revising our tax laws so that being registered is tax advantageous rather than tax disadvantageous as is currently the case.

"Mr. Speaker, your Committee believes that there is room for private sector participation in child care, and for this reason, House Bill 776 authorizes the establishment and operation of family child care systems under which a sponsoring organization can contract with individual family child care homes and assume the administrative and training responsibilities for these homes and their providers.

"Mr. Speaker, the 1980 census shows that there were 78,000 children under five years of age in our State. Yet, licensed child care facilities today can only provide care for one-fourth of our children. It is my hope that the hard work that went into House Bill 776 will lead us to do better.

"Members of the House, I urge you to vote 'aye.'

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 776, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. No. 776 had passed Final Reading at 10:34 o'clock p.m.

Conf. Com. Rep. No. 60 on S.B. No. 76, SD 1, HD 1, CD 1:

On motion by Representative Tom, seconded by Representative Metcalf and carried, the report of the Committee was adopted and S.B. No. 76, SD 1, HD 1, CD 1, entitled "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

Conf. Com. Rep. No. 62 on H.B. No. 99, HD 1, SD 2, CD 1:

On motion by Representative Kiyabu, seconded by Representative Souki and carried, the report of the Committee was adopted and H.B. No. 99, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. No. 76 and H.B. No. 99 had passed Final Reading at 10:35 o'clock p.m.

Conf. Com. Rep. No. 63 on H.B. No. 1393, HD 2, SD 1, CD 2:

On motion by Representative Taniguchi, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 1393, HD 2, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

Conf. Com. Rep. No. 64 on H.B. No. 134, HD 1, SD 1, CD 1:

On motion by Representative Kiyabu, seconded by Representative Yoshimura and carried, the report of the Committee was adopted and H.B. No. 134, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. Nos. 1393 and 134 had passed Final Reading at 10:36 o'clock p.m.

Conf. Com. Rep. No. 65 on H.B. No. 146, HD 1, SD 1, CD 1:

On motion by Representative Kiyabu, seconded by Representative Yoshimura and carried, the report of the Committee was adopted and H.B. No. 146, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

Conf. Com. Rep. No. 66 on H.B. No. 147, HD 1, SD 1, CD 1:

On motion by Representative Kiyabu, seconded by Representative Yoshimura and carried, the report of the Committee was adopted and H.B. No. 147, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYEES HEALTH FUND", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. Nos. 146 and 147 had passed Final Reading at 10:37 o'clock p.m.

Conf. Com. Rep. No. 67 on S.B. No. 239, SD 2, HD 1, CD 1:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 239, SD 2, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Souki.

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

"The Conference draft of Senate Bill 239 is a vast improvement from earlier versions of this bill. It is far broader. Earlier, it was almost a special interest bill but now it encompasses all situations where a third party handles funds in a not-for-profit manner.

"This bill remedies a long standing situation since the Department of Taxation has not established rules

and regulations for the application of the general excise tax. The tax had been levied differently in different situations. Now I expect the policy and the implementation will be uniform.

"I heartily endorse this bill. It is a long overdue clarification.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 239, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. No. 239 had passed Final Reading at 10:39 o'clock p.m.

Conf. Com. Rep. No. 68 on S.B. No. 1198, SD 2, HD 1, CD 1:

Representative Shito moved that the report of the Committee be adopted and S.B. No. 1198, SD 2, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Kiyabu.

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

"Mr. Speaker, I am speaking in favor of the bill because it meets the legal obligations of the State, but I have reservations because I believe that, at the same time that we pass this bill, we should be calling for investigation and prosecution where that is warranted of the collapse of these industrial loan companies.

"I believe that we need to do that because of the public trust involved. I think there has been a violation of public trust and I think for this public body to call for the investigation and the prosecution would help to clarify this situation and be a step forward in restoring public trust and confidence.

"Thank you."

Representative Liu rose and stated:

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

"Mr. Speaker, I am concerned that not all options were explored thoroughly before we passed the

measure to assist those who did have deposits in Thrift Guaranty. If those options were thoroughly explored, I believe a plan could have been implemented that would have struck an even better balance between the interest of depositors and general taxpayers. That is, most people out there -- the voters whose public trust we do hold, I contend, can accept making good on the \$10,000 that Thrift Guaranty insured per account. That amount was set by law which the Legislature did pass. But I think it would be an understatement to declare that there are serious misgivings about bailing out accounts of over \$10,000 which this bill and other plans would do to a great extent.

"It bothers me that no straightforward answer has been given why we did not seriously explore purchasing depositors claims up to \$10,000. This is permitted under certain conditions under the bankruptcy code and is essentially what happened in the initial pay-out to depositors by Thrift Guaranty in 1983 using State moneys as a partial loan. Such a plan might have avoided the present uneasiness of using general taxpayer dollars to insure essentially private investments over the insured amount required by the law.

"Neither, Mr. Speaker, was there prior to today, in-depth discussion of the non-real estate assets that will be purchased. These assets are valued at around \$7.5-million of the total assets involved. Yet, no detailed information about the nature of these assets have been provided despite the best efforts of the Chairman of the Committee which I do appreciate. In fact, I am sure many of us, prior to the conference meeting, were unaware that we were talking about so much in terms of non-real estate assets. But, at least under this bill, the private sector will be assuming a large portion of the risk in administering those assets.

"So there are many questions, Mr. Speaker, that still remain to be answered. In passing this measure, we should not feel that the book is closed on this subject. The public will demand further justification and to that end, I wholeheartedly support the Chairman of the Consumer Protection Committee's efforts to get the Attorney General and U.S. Attorney's Office to ferret out, as soon as possible, any issues of impropriety related to the collapse of Manoa Finance and Great Hawaiian Finance.

"Thank you, Mr. Speaker."

Representative Jones then rose and requested that the remarks of Representative Liu be incorporated into the Journal as if they were his own, and the Chair "so ordered." (By reference only)

Representative Kamali'i rose to speak against the bill, stating:

"Mr. Speaker, this bill attempts to make the best of a bad situation. And as much as I may be touched by the plight of the depositors in these failed industrial loan companies, my greatest concern is for the full and complete investigation of what caused such collapses. Only in that way may we better protect all of the depositors of this State.

"Originally, I had thought that I could support this version of a 'bail out.' However, in the last week, there have been additional disclosures of possible perjury of Mr. Inaba regarding his interests and potential assets available to bankruptcy proceedings.

"How can we continue to proceed with flawed information? And how can we 'take the pressure off' by acting to 'cover the losses' which it appears more and more certain were criminally created?

"Mr. Speaker, we do not have all of the information which we need to make an informed judgment on this course of action.

"There is even more uncertainty in this matter because of the Senate's rejection of Mr. Lilly as the Attorney General. I can only assume that there will be disruption in that Department, and therefore, disruption in the promised investigation, until a new AG is named.

"For these reasons, Mr. Speaker -- new evidence regarding hidden assets, and uncertainty regarding the State investigation of this case -- I urge my colleagues to vote 'no.'

"To do otherwise, regardless of the good intentions which I believe an 'aye vote' intends to convey, is to violate the confidence of all the taxpayers of this State.

"Thank you."

Representative Hemmings rose to speak against the bill, stating:

"Mr. Speaker, the real sad note on

this whole scenario is the fact that the people who have suffered the most -- the depositors and ultimately the taxpayers -- are the ones that are paying. And the people who have perpetrated this situation on all of us have got off scot-free.

"It is my hope by not voting for this bill, that something will be done to address this issue in the courts where ultimately the people who have gotten away with this, should pay.

"I urge you all to vote 'no.'"

"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. 1198, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT", having been read throughout, passed Final Reading by a vote of 44 ayes to 6 noes, with Representatives Anderson, Andrews, Blair, Hemmings, Kamali'i and Medeiros voting no, and Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. No. 1198 had passed Final Reading at 10:46 o'clock p.m.

Conf. Com. Rep. No. 69 on S.B. No. 589, SD 2, HD 1, CD 1:

On motion by Representative Kiyabu, seconded by Representative Yoshimura and carried, the report of the Committee was adopted and S.B. No. 589, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

Conf. Com. Rep. No. 70 on S.B. No. 20, SD 1, HD 1, CD 1:

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

The Chair directed the Clerk to note that S.B. Nos. 589 and 20 had passed Final Reading at 10:47 o'clock p.m.

Conf. Com. Rep. No. 71 on S.B. No. 1287, SD 2, HD 2, CD 1:

On motion by Representative Kiyabu, seconded by Representative Levin and carried, the report of the Committee was adopted and S.B. No. 1287, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Yoshimura voting no, and Representative Crozier being excused.

Conf. Com. Rep. No. 72 on S.B. No. 1286, SD 2, HD 2, CD 1:

On motion by Representative Kiyabu, seconded by Representative Levin and carried, the report of the Committee was adopted and S.B. No. 1286, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. Nos. 1287 and 1286 had passed Final Reading at 10:48 o'clock p.m.

Conf. Com. Rep. No. 73 on S.B. No. 463, SD 1, HD 2, CD 1:

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, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Anderson voting no, and Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. No. 463 had passed Final Reading at 10:49 o'clock p.m.

At 10:50 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:51 o'clock p.m.

Conf. Com. Rep. No. 74 on H.B. No. 463, HD 2, SD 2, CD 2:

Representative Tungpalan moved that the report of the Committee be adopted, and H.B. No. 463, HD 2, SD 2, CD 2, having been read throughout, pass Final Reading, seconded by Representative Shito.

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

"This is the infamous workers' compensation bill. Mr. Speaker, let me state first that I was very pleased to work on House Bill 463 as a conferee on behalf of this House, and I am gratified that this Conference draft has come to the floor for debate and vote. Many long hours have gone into consideration and construction of this bill in both the House and the Senate, and I would like to commend all who have taken part.

"This bill is a good beginning. It is the first major step in the right direction. We have all gained in that we have received a tremendous increase in our knowledge and awareness of the workers' compensation system, the relevant statutes and the serious economic problems faced because of flaws in the system.

"We have learned the phraseology of workers' compensation -- the difference between PPD, PTD and TTD. It's like DBCP and DBP -- it's all alphabet soup. But most of all, we have learned that there is a serious problem with workers' compensation in Hawaii.

"We have studied just about everything there is to study, except one glaring omission -- the very Department which administers workmen's compensation -- the Department of Labor. What kind of training is given the hearings officers? What initiatives are given in controlling costs? No one should know the system better than the Department of Labor and Industrial Relations, yet I have not seen one comprehensive set of recommendations from that Department on what can or should be done. We have hearings officers in this Department, not medically trained, who determine extra compensability for pain and suffering. In one survey of 46 cases, the actual medical bills we totalled at \$178,000, but the hearings officers tacked on additional costs for pain and suffering to the tune of \$538,000.

"Florida had the same system for pain and suffering, but in 1979, realized the need for change and went

to wage loss only.

"This Legislature has begun to tighten up the workmen's compensation system by, first, changing the waiting period from two to three days and eliminated retroactive benefits. Although this change deals with only a portion of the disincentive problem, it sends a message to the malingerer that abuse of the system will no longer be tolerated.

"Secondly, excessive medical treatment has been addressed as this bill requires that the Department of Labor and Industrial Relations Director will establish guidelines for frequency of medical treatment and a mechanism for qualification of health care providers. Through these, the Director should be able to monitor over-treatment by a single health care provider, referrals, and re-referrals for diagnostic testing.

"Third, vocational rehabilitation is addressed with a new statement of purpose. This will help assure that workers are re-assimilated into the labor force as quickly as possible. This will hopefully also eliminate the use of workmen's compensation vocational rehabilitation benefits to acquire additional formal education and other specialized training which are clearly not the responsibility of workmen's compensation.

"Fourth, a 60-day period has been established during which the Director must issue a decision regarding a compensability hearing. Past delays in processing have been identified as a cost factor in workmen's compensation costs and one which causes unnecessary hardship for injured workers.

"Fifth, there is now, thanks to one of our Representatives, a deductible option for buying insurance, much like no-fault.

"These few measures, Mr. Speaker, will assist not only in lowering costs, but also demonstrate this Legislature's and the Administration's commitment to addressing and tightening up the workers compensation system. It is estimated that this bill will lower costs, perhaps 4 percent -- maybe a little more, but workers' compensation costs this year already appear to be exceeding this. We are still number one in the nation for costs.

"However, there is one area in our deliberations with which I do not agree. That is the presumption clause, and the burden of evidence

required to overcome the presumption. I have some objections to the way in which this area of the bill is presented.

"I object to the inclusion of a definition of 'substantial evidence' only in the Committee Report. Such a pivotal issue which has been subject to wildly varying interpretations by our Supreme Court should not be hidden away in the Committee Report. If we are truly committed to setting forth a clear definition of 'substantial evidence' to solve the ambiguity of the statute, then that definition belongs in the actual law. I see no justification for confining this definition to the Committee Report where it may be subject to questions of legality and where it may not be considered at all.

"It will make no appreciable change in the courts' decisions. This definition is already in existence and used by the courts. It forms a part of the workmen's compensation case law and has already set the precedent for future cases. The Akamine versus Hawaiian Packing and Crating Company was a key case which expanded the definition of compensable injuries which not only defines substantial evidence but also states that an injury must be shown not to be work-connected.

"Amendments to the burden of evidence must be given their proper standing in the law and should be molded by this Legislature and not merely a reiteration of previous decision by the judicial branch.

"The presumption clause must be the number one priority to be addressed by next year's Legislature. It needs statutory change.

"The number two priority is to eliminate residuals for pain and suffering.

"The number three priority is to incorporate restitution of benefits under the fraud provision. If monies have been received fraudulently, it should be paid back.

"The fourth priority is to put a cap on vocational rehabilitation.

"The fifth priority is that benefits should reflect actual economic loss and not exceed take-home pay, especially in cases involving part-time workers.

"I feel that with this bill, Mr. Speaker, we are making a good start

at addressing the problems of workmen's compensation, and I urge an affirmative vote. We are intimately aware of the issues involved and are beginning to realize that we can no longer afford workmen's compensation as it now stands.

"Next session, we must continue overhauling the workmen's compensation system before the public overhauls the Legislature.

"Thank you, Mr. Speaker."

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

"At a certain point in this session, Mr. Speaker, the prospects of passing any sensible measure to reform the workers' compensation program indeed looked bleak. Polarization was taking the place of reason and any amendment proposed by one group was immediately rejected as extreme by the other.

"The irony of the situation, Mr. Speaker, was that no one really wanted employees to be hurt by reduced benefits, and no one wanted employers to go out of business. In the final analysis, by the work we do and the taxes we pay, we are all employees and employers held together by a common bond that we call the 'community,' but this bond was indeed weakening.

"It is to the credit of Governor Ariyoshi and his Administration that in the final days of this session, this bill was saved from defeat. The Governor brought together seemingly immovable forces to the middle ground where talks are generally more fruitful.

"The best result of our work is our increased awareness of the major flaws in our workers' compensation program. As monumental as this bill may seem to some, to others it is just the first step in resolving our problem. This is not a perfect bill, Mr. Speaker, but I don't think any bill can ever be. For me, this bill reflects the cooperation and compromise among the members of this Legislature and all parties affected. As we will have to judge the effects of our work in the coming months, I hope that the same cooperative efforts will continue as we work together to strive for a more permanent solution.

"I urge my colleagues to vote 'aye' on this measure."

Representative Ikeda rose and

stated:

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

"Mr. Speaker, this bill does very little to address the real problems in our workers' compensation system and the Committee Report attached to it is typically full of misinformation.

"For example, Mr. Speaker, of the five causes of the problem as listed in the Committee Report, the first two -- excessive premium increases due to the failure to consider investment income in setting premium rates for workers' compensation insurance; and the absence of sufficient market competition in the underwriting and sales of workers' compensation insurance -- are contrived and have no basis in fact. They are an obvious attempt to justify the creation of a State fund.

"The State's credibility regarding business ventures, especially those involving insurance, is at an all time low. We are still in the midst of dealing with the collapse of the State established Thrift Guaranty Association. We just voted today to add another \$10-million in State funds into an institution which has been seriously mismanaged even though we have virtually no hope of ever collecting the \$27-million debt already outstanding!

"Last year, we repealed the State's patient compensation fund which was set up to address a serious medical malpractice insurance crisis. We have yet to discover what ramifications there will be when the monies in that fund are depleted, and believe me, you can count on the fact that there will be ramifications.

"And yet, on the heels of these disasters, this Legislature will establish a multi-million dollar State fund for workers' compensation insurance with absolutely no real justification or compelling reasons to do so!

"This fund will not lower the costs of those who are self-insured. Yet their workers' compensation costs have risen at an even higher rate than those who purchase their insurance coverage. And may I remind you, Mr. Speaker, that both the State and County governments fall into this latter category and at the present time, our costs are running at least \$15-million per year.

"This fund will do nothing to remedy the basic problem with workers' compensation. That is the fact that direct benefit payments, even after adjustments for inflation, have more than doubled between 1977 and 1983. Using 1967 constant dollars, they have gone up from \$41.01 to \$99.23 in that period."

"And incidentally, Mr. Speaker, this data came from our Department of Labor and Industrial Relations and not the insurance industry. These figures also reflect benefits actually paid and not projections."

"Mr. Speaker, at least in the cases of Thrift Guaranty and the patients compensation fund, we had compelling reasons to act as we did. However, in establishing a State fund for workers' compensation, we do not."

"I agree with Dr. Haldi's conclusion that 'the attack on insurance rates, insurance industry profits and general overhead expense of the system...is a shibai of the first order.'"

"Another glaring deficiency in this bill is the fact that an attempt is made to clarify the presumption clause in the Committee Report rather than in the bill itself. Obviously, clarifying presumption in the Committee Report will have no effect on future court cases since that section of the statute has not changed."

"Moreover, Mr. Speaker, the previous Committee Reports referred to in this one make legislative intent absolutely clear. This report reaffirms the humanitarian purposes and remedial character of Hawaii's workers' compensation law and in doing so, says that previous court interpretations of legislative intent have been and are correct."

"Also, Mr. Speaker, I find it curious that the definition of substantial evidence endorsed by the Committee Report is taken from Akamine versus Hawaiian Packing and Crating Company. I have no real problem with the definition as stated in the Committee Report. But I believe that it is important to separate it from the rest of the written decision in that case or there will be absolutely no change in the way that the presumption clause is applied in any case. I refer specifically to the court's finding in Akamine which states: '...and if there is reasonable doubt as to whether an injury is work-connected, the humanitarian nature of the statute

demands that doubt be resolved in favor of the claimant...'

"Mr. Speaker, the only potentially real effect this definition will have is if it is used by the Department of Labor and Industrial Relations in its application of the law. This could be mandated by the Administration and may prove to be an improvement over present practices."

"Although there are obvious negative provisions and flaws in this bill, it does have a few meager redeeming factors. Among them, an attempt to at least address medical stabilization and a possible reclassification of a claimant's status. Since there is no definition of medical stabilization, this concept will work only if medical reports are monitored by the Department and a serious effort is made to follow through on each case."

"This bill also tries to control the over-utilization of medical services by mandating the Director to establish guidelines on the frequency of treatment and reasonable utilization of health care services as well as qualify health care providers. And it does increase the waiting period by one calendar day with no retroactive payments."

"These potential improvements in the bill will work, however, only if the Administration conscientiously monitors and administers these provisions objectively and fairly, applying the definition of substantial evidence only to the four items listed on page four of the Committee Report and applying the definition of substantial evidence as it is set forth in this Committee Report and without the entire written decision made by the courts in Akamine. Then here is a chance that some reform in the system will materialize and with it, some reduction in cost."

"Mr. Speaker, the Governor is to be commended for his efforts to produce meaningful legislation on workers' compensation. Unfortunately, I do not believe that he has accomplished that goal with this bill. However, we have learned that so much depends on how our laws are interpreted and implemented by those who are given that responsibility."

"With the passage of this bill, the Administration will be hard pressed to improve conditions within the system. I am willing to give them that opportunity and for this reason, I will vote in favor of this bill despite its obvious flaws."

"Thank you very much."

Representative Hemmings rose to speak against the bill, stating:

"One of the oldest sayings recorded in our language, English, and is often used here is, 'better half a loaf than none.' Well, after one session here, I have learned that it's a philosophy we all could get along very comfortably with. And you all know how it is -- a bill isn't what you hoped for, but you go along with it because it is a step in the right direction. And we remind each other that we really must look at this issue more closely next session, and we go merrily on our way, having convinced ourselves, and more importantly sometimes, our constituents, that we have done something.

"If this bill were half a loaf, Mr. Speaker, I'd probably be participating in the above scenario and you all would be spared this speech. But, Mr. Speaker, this bill is crumbs -- pure and simple, just crumbs. These crumbs, I am afraid, were thrown out to stop the chattering in our halls and hearing rooms, not to effect any real change.

"From the start, I have been convinced that no meaningful change was thought by those who move and shake things around here, only the appearance of change. And what a show we put on! The end result is hard to label. This is some sort of convoluted measure that tries to convince employers that they have gained some ground while on the other side, it tends to reassure labor that it hasn't given away too much. This is a real mess, wearing the costume of reform. We were supposed to cut workers' compensation insurance rates. This bill won't do the job. I guess I would bite and be satisfied with the crumbs if I really thought we'd get back to it next year. History would indicate the Legislature really does.

"A political writer recently termed this bill as a test of pro or anti-business sentiment in Hawaii. We'd be hard pressed to decide if a D-minus is a passing grade.

"If this bill were surrounded by a lot of other improvements to the business climate, maybe I wouldn't mind so much. A reporter in one of our dailies euphorically reported a seeming turn-around on our anti-business climate last week and enumerated a few bills to support that feeling. I am sorry to say I think he

is sadly mistaken. If the test of our business climate sentiment is this workers' compensation bill and other minor bills we have and will pass, I'd have to say we'd be judged more by what we didn't do this session.

"In summary, Mr. Speaker, we spent over a hundred thousand dollars and countless hours working diligently to reform workers' compensation to cut insurance rates. This bill will cut the rates very minimally.

"I am voting no because I hope we can come back next session and really do what we set out and tried to do this year.

"Thank you, Mr. Speaker."

Representative Jones rose and stated:

"Mr. Speaker, after much soul searching, I rise to speak against this bill.

"Mr. Speaker, I am against this legislation, not because of some of the things that it contains, but mostly because of what it does not contain. This measure is just a tiny, impotent step towards correcting the ills of Hawaii's workers' compensation system. It is not a powerful statement for change but an impotent farce of backroom politics. This reminds me, Mr. Speaker, of the explorer who tried to jump across the Grand Canyon flat-footed, or the hunter who went after the bull elephant with a BB gun. It is almost impotent in terms of its ability to change the phenomenally negative business climate we have in this State. And so, Mr. Speaker, on behalf of the scores of small mom and pop companies that will go belly-up this next year because they still would have a very high and increasing workmen's compensation bill, and on behalf of the thousands of employees of these companies, and the construction employees who are out of jobs today, I must rise to speak against this shibai.

"First of all, let me make it very clear that I believe any worker who is injured on the job must be compensated fairly and justly. However, too few employees are receiving the benefits at the level they deserve while others are collecting benefits they don't deserve. The system is filled with cases involving stress, influenza, heart and cardiovascular disease, et cetera, which cannot be truly judged to be on-the-job in-

juries.

"This horrendous situation has come about because of the court's grossly liberal interpretation of the so-called presumption clause in our law. The judges are requiring employers to present evidence on the same level as that required in the criminal case before a fraudulent employee can be denied benefits. Not only have local employers and insurance carriers pinpointed the presumption clause as one of the causes of Hawaii's high cost for workmen's compensation, but experts like John Lewis, John Haldi and others who have studied Hawaii's experience, have also singled it out as a significant cause. Haldi indicated that based on only cases that have reached the appeals level, a change in the presumption clause would reduce the cost two to three percent. There are some people who say that would be ten to fifteen percent.

"However, most employers and insurance carriers emphatically insist the savings will be much more because most cases are not appealed because there appears to be no way they could be warned under the present court interpretations. It is less expensive therefore to settle the cases than to appeal the decisions without a hope of winning even though the claim is doubtful.

"Mr. Speaker, since we have blatantly ignored most of the recommendations of our \$134,000 of taxpayers' money in the Haldi study and others, and have incorporated the unrecommended ideas of some of our members, I can only say that our work on reorganizing Hawaii's workmen's compensation program is a farce. If more of the recommendations like changes in the matter of evidence require the combat presumption or not adopted, the high cost of workmen's compensation will continue to be an albatross around the neck of Hawaii's businesses. I predict it will come back to haunt the members of this House, Mr. Speaker, and if we don't do more about it next year, there'll be a lot more problems.

"In closing, I would like to quote Mr. Edmund Burke who said, 'The only way for evil to triumph is a good man do nothing,' and this bill is just that -- a do nothing bill. I, therefore, encourage my colleagues to vote 'no' on this poor piece of legislation.

"Thank you, Mr. Speaker."

Representative Anderson rose to speak against the bill, stating:

"I am a little tired so I am going to try and make it as simple as possible.

"I don't think that we have addressed the employers who incur excessive workers' compensation costs, Mr. Speaker, nor do I believe that if there is a bankruptcy fund, do we take care of that anywhere in the bill. Also, Mr. Speaker, we spent \$134,000 for a report that we didn't do too much with. We tried to take a step forward and I am very appreciative of that.

"There are areas in the bill that I don't agree with but more than anything else is the State fund, Mr. Speaker. If we are going to have a State fund and we are not going to accept the complete workers' compensation bill of whatever state we are going to take it from, then it is my understanding that it is not as workable as we have discussed when we were in our Committee and trying to find a way to solve our problems. They do not have the same bill as we do. We would almost have to incorporate what they have to make it workable, to make it where it is going to return funds, or whatever we want to do.

"Also, Mr. Speaker, in everything that we have addressed, it is still going to cost our department some seven hundred and seven thousand four hundred dollars no matter what we do to implement this. And that is going to be the cost of the taxpayer.

"For that reason alone, Mr. Speaker, I am going to vote no, and I hope my colleagues would consider that.

"Thank you very much."

Representative Liu rose and stated:

"Mr. Speaker, I rise to speak for this bill but with a very heavy heart.

"Let us imagine ourselves, just for a few moments, being in a different place and a different time. Let's say the place is the State Supreme Court hearing room, the time January 21, 1986. Attorney for defendant in a workers' compensation claim case on appeal, argues: 'But you see, your honor, the 1985 Legislature states in their Committee Report to House Bill 463 that the evidentiary standard to overcome the presumption should follow certain specific language in the Akamine case.' One of the Supreme Court Justices slowly looks at the

attorney and states: 'What law school did you go to, and please don't tell me UH. Don't you know that this court is bound by stare decisis -- past court decisions?' 'Yes, your honor.' 'Don't you know that the Committee Report has nothing to do with case law in this area?' 'Yes, your honor.' 'Don't you know that the 1985 Legislature did not change the language of this section of the law; therefore, we have no reason nor should we consider that report you cite.' 'Yes, your honor.' 'Don't you know that even if we did look at the Akamine case, that the holding in Akamine went against the employer and that the court also said, if there is reasonable doubt as to whether any injury is work-connected, the humanitarian nature of the statute demands that doubt be resolved in favor of the claimant.' 'Yes, your honor.' 'If you know all that, why cite this Committee Report; in other words, where's the beef?' We leave the scene as ambulance attendants rush into the room to apply mouth-to-mouth resuscitation to the lawyer who has suffered a heart attack.

"The above illustrates my opinion as to how helpful pages 3 and 4 of this Committee Report will be in influencing the future evolution of this area of the law.

"Representative Ikeda from the Hawaii Kai area has already gone over very well the problems with the State fund. It just seems to me that we seem to enjoy the act of the human species called, 'gnawing at the problem,' that is being involved in persistent nibbling at it and never really solving it. And the problem we are really talking about is job maintenance, job creation and job replacement.

"Attitudes surrounding this issue this session remind me of the guy who went to see his psychiatrist and he explains: 'Doctor, I think I am going nuts. My brother has moved in with me and he thinks he is a chicken. It is pretty embarrassing. How do I deal with this?' The doctor thinks for a while and he says: 'Well, just tell your brother the truth; get him a place of his own and send him to me for treatment.' The patient thinks for a minute and says: 'Well, that sounds good, doctor, but I don't know if I really could do that because, you know, I need the eggs.'

"The fact shows that insureds and self-insureds alike are both paying high amounts to satisfy the laws on workers' compensation. Yet, we want

to delude ourselves, just as the man in my example, and blaming the big, bad insurance companies for the problems of the system and in so doing, place the State on another risky path. But I guess, Mr. Speaker, some of us do need the eggs. But let's pray that by next year, they won't or we won't, and we can then repeal Section 11 of the bill and, therefore, with these serious reservations, I will reluctantly vote for the bill.

"Thank you, Mr. Speaker."

Representative Onouye rose and the Chair stated:

"Representative Onouye, the Chair would allow you to insert your remarks into the Journal."

Representative Onouye's remarks are hereby inserted:

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

"My reservations stem from the mysterious way in which this bill has evolved and the injustice dealt to the taxpayers of this State. Over \$100,000 of our taxpayers money has been spent on a study that for the most part, just sits on our shelves.

"With this bill, we are now about to enter into the insurance business after our disastrous venture into the business of industrial loans.

"By creating a State fund modeled after the California state fund, I am skeptical about basing our State fund on another system's laws which can easily be distinguished from our own.

"I vote for this bill only for the reason that we all agree that workers' compensation is in immediate need of some reform. I hope that any oversights that exist in this bill can be corrected and any unforeseen inequities rectified in the coming years.

"Thank you."

Representative Pfeil 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 Pfeil's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of House Bill 463, with reser-

ventions.

"Mr. Speaker, I concur with previous positions that this workers' compensation bill does not go far enough to solve the workers' compensation premium cost problem.

"The original drafters of the workers' compensation bill have likely taken the utilitarian philosophy -- the greatest good for the greatest number. There exists more employees than employers. But, workers' compensation premiums are crippling the minority who are creating the jobs the majority needs. Making a personal reference, with a crew of 12 on my farm, I am asked to pay more than \$9,000 per year in hard dollars in workers' compensation premiums.

"Mr. Speaker, if we could for a moment imagine every member sitting here today, and standing, were to own and operate a small business, I would imagine we would have a very different bill before us today, one that would further address the spiraling cost problem.

"Because we need some workers' compensation improvement this year, I will vote for House Bill 463, but I would have hoped for legislation more supportive of the business person who is creating the employment, and is the strength of Hawaii's economy."

Representative Takamine rose and requested that his remarks, in favor of the bill but with serious reservations, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Takamine's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of House Bill 463, House Draft 2, Senate Draft 2, Conference Draft 2, but with serious reservations.

"Mr. Speaker, I will be voting in favor of the bill, however, I have serious reservations about some of the changes that this bill will be implementing. Due to the late hour that we face, and in the interest of brevity, I will keep my comments short.

"Mr. Speaker, I am specifically concerned about some of the remarks that have been made on the floor this evening. Legislative intent can be a somewhat nebulous concept. Legislative intent has always been reflected in the actual language of any statutory change considered by this

body. Where a question of legislative intent arises due to ambiguous statutory language, then the Committee Report is relied upon for clarification.

"Mr. Speaker, upon each of the 51 members of this House is imposed the heavy responsibility of enacting changes in the law that are in the best interests of the people of Hawaii. In many instances, that responsibility may involve not only being a legislator but also an advocate. And sometimes, Mr. Speaker, though based on sincere good faith, our role as advocate may cause us to make statements that appear to carry legislative intent beyond what is actually agreed to by this body.

"Mr. Speaker, above and beyond any statements made on the floor of this House, legislative intent is established not by one member's views on what legislative intent should be, but by a majority of the members voting on a bill or adopting a Committee Report. I feel that House Bill 463, HD 2, SD 2, CD 2, and Conference Committee Report 74 speak for themselves, and more than adequately establish what the Legislature intended by the changes included and discussed in the two documents."

At 11:22 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:27 o'clock p.m.

Representative Cavasso rose and stated:

"I appreciate your offer to insert my remarks in the Journal, however, I have a comment that addresses a different portion of this bill that has been addressed here tonight and I would like to make it quick and brief, if I may, Mr. Speaker.

"Mr. Speaker, included in this bill is something that came from personal experiences in business and a need to have. . .

At this point, Representative Okamura rose on a point of order and stated:

"For clarification purposes, could you have the speaker state whether he is in favor or against the bill."

Representative Cavasso responded:

"Certainly, Mr. Speaker, I speak in favor of the bill with reservations. I speak in favor of specific portion of

the bill, specifically right now, Mr. Speaker, that which provides incentive and direct responsibility to the employer and encourages responsibility in our community, a portion of the bill which came from my own personal experience in business, which provides for an opportunity for employers to purchase workers' compensation insurance with an option for self-insurance capability with just limited degree for medical deductibles.

"I am pleased that this is in the bill, Mr. Speaker, and I am further pleased that the Committee, your Committee, has seen the value in the possible expansion of this concept and has also asked the Insurance Commissioner to look into the possibility of deductibles for indemnification benefits as well. This approach may be particularly suitable for certain types of businesses and I am thrilled to see that in here, and for that and specifically because this and for a few other good points of this bill, Mr. Speaker, I urge this body to vote in favor of this bill.

"Thank you, Mr. Speaker."

Representative Marumoto rose and requested that her remarks, against the bill, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Marumoto's remarks are as follows:

"House Bill 463, House Draft 2, Senate Draft 2, Conference Draft 2, has inched its way slowly and tortuously through three committees in the House and two committees in the Senate. This workers' compensation bill has commanded much attention. It has required many hours of work, study, hearings, meetings, talking, waiting, testimony, media and public interest. It has created anxiety and frustration.

"This measure involved many people -- chiefly employers who were being besieged by the rising costs of work comp insurance premiums, and employees and their unions. The health care community, vocational rehabilitation providers, and the general public provided much input. Administration officials spent many hours patiently explaining the working of their departments and the workers compensation law.

"I commend all of the aforementioned, as well as the Governor and the Lieutenant Governor, who put much time and effort into this bill. I

also commend my colleagues in the House and our counterparts on the other side of the building. We have all toiled long and hard. All who have put their shoulders into the effort to reduce work comp costs have realized that it is a Herculean task.

"We are weary of the topic, and of the long hours of intense debate. But for all our sweat, blood and tears, the end product of our endeavor, in my opinion, is a disappointment.

"We offer only a few improvements -- a slightly longer waiting period, elimination of the recapture provision, deductible options for insurance coverage, and an untested medical cost containment section. I do hope these amendments will reduce costs somewhat.

"However, missing from the bill are many of the Haldi recommendations -- notably time limits on vocational rehabilitation, and end to double dipping for second injuries in the permanent partial disability area, amendment of the presumption clause, and a systemic change to a wage loss system.

"It is ironic that opponents to the Haldi recommendations do not see that a change to wage loss could result in greater benefits for some injured workers. Haldi's suggested increases in this and other areas were based on tradeoffs for certain other changes and his amendments were to be taken as an integrated whole. We have rejected his concept this session, but must entertain the option in the future. Adoption of the entire report would benefit employer and employee alike.

"Passage of House Bill 463 will not substantially improve Hawaii's reputation (or perception) for having an anti-business climate. The amendments contained herein were too few and too hard won.

"One political writer stated that work comp is the litmus test of pro or anti-business sentiment. Unfortunately, this bill before us does not have enough remedies. It fails the litmus test.

"Because we have attacked this corrosive economic problem on a piecemeal basis, because there are still so many missing links, because this measure will not appreciably help labor and employment opportunities, I will be voting no. Next session, I hope I will be voting aye on a com-

prehensive workers' compensation bill.

"Mahalo."

Representative Tungpalan rose and stated:

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

"First of all, let me state that I don't believe that there are many members of this House who are thoroughly pleased with this bill. For a subject as controversial as this, I do not believe we will ever arrive at a bill that people will be thoroughly pleased with, and neither am I. I speak with a heavy heart today, but let me call attention to the following listing of cost-reducing provisions in this bill and make it easier for members who are considering how to vote on this measure.

"First of all, it promotes the safe and healthy work environment as a preventive measure. It creates a non-profit insurance fund; it provides stricter fraud provisions; it eliminates the recapture provision on temporary total disability for the projected 5 percent reduction in cost. It establishes guidelines for frequency of medical treatment and regulation of health care providers for the projected 3 to 5 percent reduction in cost. It increases the waiting period from two to three days. It mandates prompt hearings and decisions and it reduces the reopening of cases from ten to eight years.

"I speak with a heavy heart because of one provision -- that regarding the recapture period.

"With the elimination of the recapture period, we become the first state in the nation to say to our workers that no matter how seriously injured you are, you will never be able to recapture the lost wages of those first three days. That really saddens me because I believe that I have never heard from anyone in the business or the labor, the insurance industry, say that they were against compensating those seriously injured workers. I think we don't realize what we are really doing.

"Haldi, in his report, had said that there should be no more than two-fifths reduction in pay for that first week and, here, we are actually going beyond that and saying that three-fifths, or three days out of five, that person's pay shall be docked. You know, there are some

people who commit crimes out in our community, and unfortunately, get away with a slap on their wrist or probation. An unfortunate person who happens to sustain an injury on the job will have to forfeit three days' pay as a result of that, should that injury last beyond three days.

"I hope that if we reconsider workers' compensation next year, and I hope we do, that we will seriously look at this provision and the impact that it will have on those workers out there who are looking to us for a fair bill. We shouldn't be caving in to special interest just because the papers condemn what we are doing in here, or saying we are too pro-labor, or that we are too humanitarian in the treatment of this system. We should be proud of the fact that we have a humanitarian law on the books. We should be proud of the fact that we care about our injured workers. We should be proud of the fact that this State is one of the most liberal in its treatment of injured workers. I will never be ashamed of that. And as such, I will be voting with reservations on this bill, but I do believe that the other provisions as listed above will benefit, not only the businessmen and the insurance companies, but the working men.

"Thank you, Mr. Speaker, for allowing me this time."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 463, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Final Reading by a vote of 45 ayes to 5 noes, with Representatives Anderson, Blair, Hemmings, Jones and Marumoto voting no, and Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. No. 463 had passed Final Reading at 11:35 o'clock p.m.

Conf. Com. Rep. No. 75 on S.B. No. 471, SD 2, HD 1, CD 1:

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

Conf. Com. Rep. No. 76 on H.B. No. 281, HD 2, SD 2, CD 1:

Representative Kiyabu moved that the report of the Committee be adopted and H.B. No. 281, HD 2, SD 2, CD 1, having been read through-

out, pass Final Reading, seconded by Representative Taniguchi.

Representative Hemmings rose to speak against the bill and the Chair stated:

"Representative Hemmings, the Chair will allow you to insert your remarks into the Journal."

Representative Hemmings responded:

"I did not prepare it, Mr. Speaker."

The Chair answered:

"The Chair will allow you to prepare it."

Representative Hemmings thanked the Chair and said:

"I am voting no on this bill. Thank you."

Representative Hemmings' remarks are as follows:

"I strongly oppose the 'tax increase' to replenish the 'highway fund.' House Bill 281, HD 2, SD 2, CD 1, is an estimated \$19 to \$20 a year tax increase.

"The State vehicle registration fee would go from \$1 to \$10. The gas tax would go up 2.5-cents per gallon and the diesel and vehicle weight taxes would increase also.

"I have held steadfast to the principle that taxes could and should be cut in Hawaii, not raised. This could be done by increasing efficiency, productivity, accountability and by eliminating needless bureaucracy, duplication of services, waste and fraud.

"In the instance of the highway fund, we could find money to maintain our roads in the existing \$5.5-billion that the State government will spend over the next two years.

"There are numerous examples of inefficiency and waste in the Department of Transportation. Examples include the Goodfellow \$2.75-million settlement of a mismanaged contract. There are millions of dollars tied up in the H-3 debacle.

"If time is money, the State Department of Transportation ranks as one of the all-time money wasters. Examples include the seven-plus years it took to build a 100 yard bridge in

Wahiawa. For over ten years now, the taxpayers have suffered inconvenience and costs, while the State creeps along on the completion of the airport highway segment. The Kapiolani On-Ramp, after poor design and construction, ended up costing a million dollars per linear foot! The list goes on and on. How about instances when segments of the freeway were to connect and they didn't fit -- more time and money wasted!

"This taxpayers' bailout of the highway fund is not needed. The alleged 'special fund' has a special problem and that is not due to loss of revenue because of gas price declines. We should demand from the Department of Transportation and all government agencies accountability before we throw more of the taxpayers' hard-earned dollars away.

"I urge a 'no' vote."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 281, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND", having been read throughout, passed Final Reading by a vote of 45 ayes to 5 noes, with Representatives Hemmings, Ikeda, Jones, Kamali'i and Say voting no, and Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. No. 281 had passed Final Reading at 11:37 o'clock p.m.

Conf. Com. Rep. No. 77 on S.B. No. 384, HD 1, CD 1:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 384, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Kawakami.

Representative Kawakami rose and stated:

"Mr. Speaker, I rise to offer brief comments on this bill. I will be speaking for the bill with no reservations.

"As a member of the House for the past sixteen years, the content of this bill before us, or rather the lack of a certain element in the bill, causes me great concern.

"Mr. Speaker, traditionally, the Legislature authorizes the bond

issuance for the funding of capital improvement projects around the State to meet specific needs of the districts we represent. This year is unprecedented as community in-put project bond will not be authorized as a result of the uncompromising position of the Senate, demanding twice the amount of 'pork' than allocated to the House.

"Mr. Speaker, the turn of events is truly unfortunate. As Representatives and Senators, we serve the same constituency -- the people of the State of Hawaii.

"In closing, I sincerely hope that these unfortunate turn of events will be rectified next session so that we, as members of the Legislature, can return home with much appreciated and needed 'pork.'

"Thank you very much."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 384, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Hemmings and Ikeda voting no, and Representative Crozier being excused.

The Chair directed the Clerk to note that S.B. No. 384 had passed Final Reading at 11:38 o'clock p.m.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 1354, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1354, HD 1, and H.B. No. 1354, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. No. 1354 had passed Final Reading at 11:39 o'clock p.m.

By unanimous consent, H.B. No. 997, HD 1, SD 1, was taken from the Clerk's desk.

On motion by Representative Hashimoto, seconded by Representative

Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 997, HD 1, and H.B. No. 997, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

By unanimous consent, H.B. No. 208, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Say, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 208, HD 2, and H.B. No. 208, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. Nos. 997 and 208 had passed Final Reading at 11:40 o'clock p.m.

By unanimous consent, H.B. No. 404, HD 2, SD 1, was taken from the Clerk's desk.

On motion by Representative Say, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 404, HD 2, and H.B. No. 404, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Crozier being excused.

The Chair directed the Clerk to note that H.B. No. 404 had passed Final Reading at 11:41 o'clock p.m.

At 11:42 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 11:43 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1240) recommending that S.B. No. 319 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. 319, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 237, HAWAII REVISED STATUTES", having been

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

The Chair directed the Clerk to note that S.B. No. 319 had passed Third Reading at 11:44 o'clock p.m.

Representative Tom, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1241) recommending that H.R. No. 193, as amended in HD 3, be adopted.

Representative Kamali'i then rose and requested that her remarks, in favor of the resolution, be inserted in the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Kamali'i's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of this resolution, as amended.

"Mr. Speaker, the passage of this resolution in its present form can only be considered a 'symbolic victory.'

"Like so many other issues which addressed the fundamental rights and worth of women -- the vote, owning property in their own names, and access to education -- what we now take for granted was once opposed with vehemence on the basic assumption that women were inherently weaker and lesser than men.

"There are still some who believe that and use arguments cloaked in 19th century theories of the marketplace and of social Darwinism to defend their positions.

"I have no doubt that wage parity based on standards of 'comparable worth' will eventually prevail. It will not be easy. But it will happen.

"The basic belief of our system is that any fundamental abridgement of rights, once discovered, must be corrected.

"This resolution is only a small beginning in that process of discovery. It is my profoundest hope that additional work will be conducted during the interim, and that next session we may consider substantive legislation to remedy the historical wrongs of pay discrimination in certain jobs.

"Thank you."

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. 193, HD 3, entitled: "HOUSE RESOLUTION REQUESTING EQUAL PAY FOR COMPARABLE WORK", was adopted.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.C.R. No. 37, HD 1, SD 2, was taken from the Clerk's desk.

On motion by Representative Andrews, seconded by Representative Honda and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 37, HD 1, and H.C.R. No. 37, HD 1, SD 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURAL FUNCTIONAL PLAN", was adopted, with Representative Liu voting no.

By unanimous consent, H.C.R. No. 73, HD 1, SD 1, was taken from the Clerk's desk.

At this time, Representative Bunda asked for a recess, and at 11:45 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:47 o'clock p.m.

On motion by Representative Bunda, seconded by Representative Kihano and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 73, HD 1, and H.C.R. No. 73, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO TAKE CERTAIN ACTIONS TO ASSIST SCHIZOPHRENICS", was adopted.

At this time, the Chair re-referred H.R. No. 404, HD 1, to the Clerk's desk.

By unanimous consent, H.R. No. 404, HD 1, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Bunda and carried, H.R. No. 404, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE ATTORNEY GENERAL AND THE U.S. 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 adopted.

INTRODUCTION OF RESOLUTIONS

On motion by Representative Okamura, seconded by Representative Ikeda and carried, the following resolutions (H.R. Nos. 462 to 483) were adopted.

A resolution (H.R. No. 462) authorizing the Speaker to designate which of the employees and officers of the House shall be given additional employment to meet the work after the session and is further authorized to determine the period of employment for each was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 463) relating to Standing and Special Committees authorized to conduct hearings during the interim between the adjournment of the Regular Session of 1985 and the convening of the Regular Session of 1986 was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 464) authorizing and empowering the Speaker, as he deems necessary, (1) to expend such sum or sums from the funds appropriated for legislative and other expenses of the Thirteenth Legislature, Regular Session of 1985; (2) to contract, hire or employ such personnel and assistance; and (3) to do or cause to be done such other duties, all for the purposes of completing the work of the Thirteenth Legislature, Regular Session of 1985, subsequent to the adjournment thereof, including the carrying out of any official legislative business in the interim between the 1985 and 1986 sessions, up to and including January 15, 1986, this authorization being in addition to any other authorization heretofore granted to the Speaker or any other officer or officers of the House of Representatives was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 465) authorizing the Speaker to approve the Journal of this House of any legislative day being compiled as of the 61st day was jointly offered by Representatives Ige, Ikeda, Kawa-

kami, Marumoto and Okamura.

A resolution (H.R. No. 466) authorizing and directing the Committee on the Journal to compile and print the Journal of the House of Representatives, Regular Session of 1985, pursuant to Rule 18 of the Rules of Procedure adopted by this Body, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 467) extending appreciation and thanks to KHVH All-News Radio for its splendid coverage of the activities of the Thirteenth Legislature, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 468) extending appreciation and thanks to the radio stations for their fine coverage of activities of the House of Representatives throughout the Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 469) extending appreciation and thanks to KHET Public Television (Channel 11) for its extensive coverage of the activities of the Thirteenth Legislature, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 470) extending appreciation and thanks to KGMB-Television (Channel 9) for its extensive coverage of the Thirteenth Legislature, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 471) extending appreciation and thanks to KHON-Television (Channel 2) for its extensive coverage of the activities of the Thirteenth Legislature, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 472) extending appreciation and thanks to KITV (Channel 4) for its extensive coverage of the activities of the Thirteenth Legislature, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 473) extending appreciation and thanks to

the Associated Press (AP) for its extensive coverage of the Thirteenth Legislature, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 474) extending appreciation and thanks to the United Press International (UPI) for its extensive coverage of the Thirteenth Legislature, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 475) extending appreciation and thanks to the Honolulu Advertiser for its splendid coverage of the activities of the Thirteenth Legislature, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 476) extending appreciation and thanks to the Honolulu Star-Bulletin for its extensive coverage of the Thirteenth Legislature, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 477) expressing appreciation and thanks to the Legislative Reference Bureau for its splendid cooperation and excellent service rendered to the House of Representatives, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 478) extending appreciation and thanks to the Legislative Auditor's Office for its splendid cooperation and excellent service rendered to the House of Representatives, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 479) expressing appreciation and thanks to the Capitol Security Force for excellent service rendered to the House of Representatives throughout the Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 480) extending appreciation and thanks to the Honolulu Police Department for its fine and efficient service rendered to the House of Representatives, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

kami, Marumoto and Okamura.

A resolution (H.R. No. 481) expressing appreciation and thanks to the Pineapple Growers Association of Hawaii for supplying pineapple juice to the House of Representatives, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 482) extending appreciation and thanks to the Central Services Division, Department of Accounting and General Services for its splendid cooperation and excellent service rendered to the House of Representatives, Regular Session of 1985, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

A resolution (H.R. No. 483) extending sincere gratitude and thanks to the Hawaii Council of Churches, the Hawaii Buddhist Council and the Catholic Diocese, was jointly offered by Representatives Ige, Ikeda, Kawakami, Marumoto and Okamura.

At 11:50 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:51 o'clock p.m.

DEFERRED MATTER FROM EARLIER ON THE CALENDAR

Conf. Com. Rep. No. 75 on S.B. No. 471, SD 2, HD 1, CD 1:

At this time, the Chair stated:

"Senate Bill No. 471, Senate Draft 2, House Draft 1, Conference Draft 1, has remained at the end of the calendar. The Chair would take responsibility for said measure not passing this House."

Representative Morgado rose and inquired:

"Mr. Speaker, by what justification do you say that that measure did not pass the House without taking a vote?"

The Chair answered:

"Representative Morgado, I think the Chair has the responsibility for knowing exactly how many members are in favor or against this measure. The Chair, at this time, would like to share with you and the rest of the members, there are insufficient votes

to pass this measure."

Representative Kamali'i then rose and asked for a roll call vote on this measure.

At 11:57 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:58 o'clock p.m., the Chair said:

"Representative Kamali'i, there is no motion before the House."

The Chair then stated:

"The Chair has some closing remarks that I would like to share with all of you.

"I am personally very grateful for this final opportunity, before the close of this session, to thank all of you for the work which you have done, and for the courtesy which you extended to this office. The spirit of cooperation which was shown throughout these past few months made holding this office a much easier and more pleasant task.

"I am personally very proud of all the members of this House, members of the leadership team, the staff, for the faithful performance of your exacting and vital duties. I believe

that you have contributed much in maintaining the peoples' confidence in our system of government, a system which continues to work for the general good by a delicate check and balance of a great variety of competing forces.

"I wish to also express my appreciation to our families and friends for their personal sacrifices, understanding, and gentle support.

"Finally, since it is impossible for me to translate into words my respect for all of you, for your tireless efforts on behalf of the citizens of Hawaii, I simply and fondly say, Mahalo, and God bless you during this interim."

ADJOURNMENT

Representative Okamura moved that the House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, adjourn Sine Die, seconded by Representative Ikeda.

At 12:00 o'clock midnight, the Speaker rapped his gavel and declared the House of Representatives of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, adjourned Sine Die.

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

Gov. Msg. No. 112 informing the House that on April 22, 1985, he signed the following bill into law:

Senate Bill No. 35 as Act 28, entitled: "RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII".

Gov. Msg. No. 113 informing the House that on April 23, 1985, he signed the following bills into law:

Senate Bill No. 6 as Act 29, entitled: "RELATING TO COLLECTIVE BARGAINING";

Senate Bill No. 338 as Act 30, entitled: "RELATING TO TAXATION";

Senate Bill No. 668 as Act 31, entitled: "RELATING TO CORPORATIONS";

Senate Bill No. 669 as Act 32, entitled: "RELATING TO CORPORATIONS";

Senate Bill No. 1196 as Act 33, entitled: "RELATING TO PUBLIC LANDS".

Gov. Msg. No. 114 informing the House that on April 24, 1985, he signed the following bills into law:

Senate Bill No. 99 as Act 34, entitled: "RELATING TO INDIGENT BURIALS";

Senate Bill No. 160 as Act 35, entitled: "RELATING TO COMMITTEE MEMBERSHIP";

Senate Bill No. 663 as Act 36, entitled: "RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL";

Senate Bill No. 1350 as Act 37, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

Senate Bill No. 1351 as Act 38, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

Senate Bill No. 1386 as Act 39, entitled: "RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES".

Gov. Msg. No. 115 transmitting his statement of objections to Senate Bill

No. 1365, which he has returned to the Senate without his approval:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

April 24, 1985

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1365

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1365, entitled, 'A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE'.

The purpose of Senate Bill No. 1365 is to vest the driver's licensing examiner with discretionary authority to waive the road test for those applicants who are at least eighteen years old and possess a valid driver's license issued by another state, the District of Columbia, Puerto Rico, American Samoa, Guam, or Canada.

This bill is substantially the same as House Bill No. 490, which was also passed by the 1985 Legislature and became law on April 18, 1985, as Act 26, with my approval. The measures differ only in that Act 26 also changed masculine references to gender neutral terms, while this bill does not. Since Act 26 has already accomplished the purpose of this bill, there is no necessity to enact this bill.

For the foregoing reason, I am returning Senate Bill No. 1365 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before ad-

jourment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1365, entitled, 'A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 1365 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1365 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 24th day of April,
1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 116 informing the House that on April 30, 1985, he signed the following bills into law:

Senate Bill No. 82 as Act 40,
entitled: "RELATING TO THE USE
OF THE SPECIAL LAND AND DEVELOPMENT FUND";

Senate Bill No. 127 as Act 41,
entitled: "RELATING TO AERONAUTICS";

Senate Bill No. 162 as Act 42,
entitled: "RELATING TO THE
NATURAL ENERGY LABORATORY
OF HAWAII";

Senate Bill No. 165 as Act 43,
entitled: "RELATING TO SPECIAL
PURPOSE REVENUE BONDS";

Senate Bill No. 166 as Act 44,
entitled: "RELATING TO THE
HAWAII STATE PLANNING ACT";

Senate Bill No. 187 as Act 45,
entitled: "RELATING TO THE
DEPARTMENT OF COMMERCE AND
CONSUMER AFFAIRS";

Senate Bill No. 189 as Act 46,
entitled: "RELATING TO TRAVEL

AGENCIES";

Senate Bill No. 197 as Act 47,
entitled: "RELATING TO THE
MOTOR VEHICLE REPAIR INDUSTRY";

Senate Bill No. 234 as Act 48,
entitled: "RELATING TO
COUNTIES";

Senate Bill No. 235 as Act 49,
entitled: "RELATING TO PROPERTY";

Senate Bill No. 279 as Act 50,
entitled: "RELATING TO PUBLIC
LANDS";

Senate Bill No. 287 as Act 51,
entitled: "RELATING TO THE
HAWAII COMMUNITY DEVELOPMENT
AUTHORITY";

Senate Bill No. 377 as Act 52,
entitled: "RELATING TO TRAFFIC
VIOLATIONS";

Senate Bill No. 454 as Act 53,
entitled: RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 662 as Act 54,
entitled: "RELATING TO MEDICINE
AND SURGERY";

Senate Bill No. 732 as Act 55,
entitled: "RELATING TO EXCEPTIONAL CHILDREN";

Senate Bill No. 1130 as Act 56,
entitled: "RELATING TO NO-FAULT INSURANCE".

Gov. Msg. No. 117 informing the House that on May 1, 1985, he signed the following bills into law:

Senate Bill No. 55 as Act 57,
entitled: "RELATING TO AGENTS
OF PRIVATE SCHOOLS AND CORRESPONDENCE SCHOOLS";

Senate Bill No. 170 as Act 58,
entitled: "RELATING TO THE
EXTENSION OF THE COMPLIANCE
RESOLUTION FUND";

Senate Bill No. 230 as Act 59,
entitled: "RELATING TO INSURANCE";

Senate Bill No. 404 as Act 60,
entitled: "RELATING TO
HAWAIIAN HOMES COMMISSION
ACT, 1920";

Senate Bill No. 563 as Act 61,
entitled: "RELATING TO THE
UNIFORM TRUSTEES' POWERS
ACT";

Senate Bill No. 689 as Act 62, entitled: "RELATING TO THE COUNCIL ON REVENUES".

Gov. Msg. No. 118 informing the House that on May 4, 1985, he signed the following bills into law:

Senate Bill No. 29 as Act 63, entitled: "RELATING TO THE ADVISORY COUNCIL FOR CHILDREN AND YOUTH";

Senate Bill No. 190 as Act 64, entitled: "RELATING TO THE OFFICE OF CONSUMER PROTECTION";

Senate Bill No. 196 as Act 65, entitled: "RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY";

Senate Bill No. 198 as Act 66, entitled: "RELATING TO NATUROPATHY";

Senate Bill No. 203 as Act 67, entitled: "RELATING TO CONTRACTORS";

Senate Bill No. 434 as Act 68, entitled: "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";

Senate Bill No. 468 as Act 69, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

Senate Bill No. 114 as Act 70, entitled: "RELATING TO DENTISTS";

Senate Bill No. 1179 as Act 71, entitled: "RELATING TO ANNUAL REPORTS";

Senate Bill No. 1487 as Act 72, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 110 as Act 73, entitled: "RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS";

House Bill No. 191 as Act 74, entitled: "RELATING TO AQUATIC RESOURCES AND WILDLIFE".

Gov. Msg. No. 119 transmitting copies of the report prepared by the

Department of Health in response to Act 59-80, Section 321-176, Second Biennial Progress Report on Mental Health Services for Children and Youth.

Gov. Msg. No. 120 informing the House that on May 9, 1985, he signed the following bills into law:

Senate Bill No. 73 as Act 75, entitled: "RELATING TO ADMISSION TO A PSYCHIATRIC FACILITY";

Senate Bill No. 86 as Act 76, entitled: "RELATING TO STATE ENVIRONMENTAL POLICY";

Senate Bill No. 100 as Act 77, entitled: "RELATING TO GENERAL EXCISE TAX EXEMPTIONS";

Senate Bill No. 237 as Act 78, entitled: "RELATING TO TAXATION";

Senate Bill No. 463 as Act 79, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

Senate Bill No. 730 as Act 80, entitled: "RELATING TO SERVICE CORPORATIONS";

Senate Bill No. 1075 as Act 81, entitled: "RELATING TO TAXATION";

Senate Bill No. 1089 as Act 82, entitled: "MAKING AN APPROPRIATIONS FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND GOODFELLOW BROS., INC.";

House Bill No. 860 as Act 83, entitled: "RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS".

Gov. Msg. No. 121 informing the House that on May 10, 1985, he signed the following bills into law:

Senate Bill No. 60 as Act 84, entitled: "RELATING TO HEALTH";

Senate Bill No. 112 as Act 85, entitled: "RELATING TO HOUSING";

Senate Bill No. 125 as Act 86, entitled: "RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR";

Senate Bill No. 202 as Act 87,
entitled: "RELATING TO THE
BOARD OF MEDICAL EXAMINERS";

Senate Bill No. 558 as Act 88,
entitled: "RELATING TO THE
GENERAL EXCISE TAX";

Senate Bill No. 644 as Act 89,
entitled: "RELATING TO TRAFFIC
VIOLATIONS";

Senate Bill No. 843 as Act 90,
entitled: "RELATING TO REFUSAL
TO SUBMIT TO A BREATH OR
BLOOD TEST";

Senate Bill No. 1158 as Act 91,
entitled: "RELATING TO TRANS-
FERS TO MINORS";

Senate Bill No. 1195 as Act 92,
entitled: "RELATING TO THE
AUTHORIZATION AND REFUDNING
OF SPECIAL PURPOSE REVENUE
BONDS TO ASSIST UTILITIES
SERVING THE GENERAL PUBLIC";

Senate Bill No. 1356 as Act 93,
entitled: "RELATING TO PUPIL
TRANSPORTATION";

House Bill No. 192 as Act 94,
entitled: "RELATING TO AQUATIC
RESOURCES";

House Bill No. 232 as Act 95,
entitled: "RELATING TO BOARD
OF MASSAGE";

House Bill No. 1272 as Act 96,
entitled: "RELATING TO THE
ISSUANCE OF SPECIAL PURPOSE
REVENUE BONDS TO ASSIST
INDUSTRIAL INTERPRISES".

Gov. Msg. No. 122 returning House
Bill No. 157, without his approval,
together with his statement of ob-
jections relating to the measure:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

May 10, 1985

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 157

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III
of the Constitution of the State of
Hawaii, I am returning herewith,
without my approval, House Bill No.
157, entitled, 'A BILL FOR AN ACT
RELATING TO HEALTH'.

House Bill No. 157 amends Chapter

321, Hawaii Revised Statutes, by
adding a new section that empowers
the director of health to enforce the
provisions of chapter 321, 'any rule
adopted thereunder, or any variance
or exemption or waiver issued pur-
suant thereto' in an administrative
proceeding for the imposition of a
civil monetary penalty or a judicial
proceeding for injunctive relief.

This bill is substantially the same
as Senate Bill No. 60, which was also
passed by the Legislature. There are
only technical, nonsubstantive
differences between the two bills.
Since I intend to approve Senate Bill
No. 60, there is no need to approve
House Bill No. 157.

For the foregoing reason, I am
returning House Bill No. 157 without
my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of
Article III of the Constitution of the
State of Hawaii, the Governor is
required to give notice, by a proc-
lamation, of his plan to return with
his objections any bill presented to
him less than ten days before ad-
journalment sine die or presented to
him after adjournment sine die of the
Legislature; and

WHEREAS, House Bill No. 157,
entitled, 'A BILL FOR AN ACT RE-
LATING TO HEALTH', passed by the
Legislature, was presented to the
Governor within the foregoing period;
and

WHEREAS, House Bill No. 157 is
unacceptable to the Governor of the
State of Hawaii;

NOW, THEREFORE, I, GEORGE R.
ARIYOSHI, Governor of the State of
Hawaii, do hereby issue this proc-
lamation pursuant to the provisions of
Section 16 of Article III of the
Constitution of the State of Hawaii,
giving notice of my plan to return
House Bill No. 157 with my objections
thereon to the Legislature as provided
by said Section 16 of Article III of
the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 10th day of May, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 123 returning House Bill No. 159, without his approval, together with his statement of objections relating to the measure:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

May 10, 1985

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 159

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 159, entitled, 'A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE'.

The purposes of House Bill No. 159 are to reduce the number of members on service area boards from fifteen to nine, and to authorize the Department of Health to establish, by administrative rule, the number and boundaries of the geographical service areas for delivery of services for mental or emotional disorders and substance abuse.

This bill is substantially the same as Senate Bill No. 62, which was also passed by the 1985 Legislature and became law on April 11, 1985, as Act 6, with my approval. The measures differ only in the language used to accomplish the same purpose. Since Act 6 has already accomplished the purposes of this bill, there is no necessity to enact this bill.

For the foregoing reason, I am returning House Bill No. 159 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to

him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 159, entitled, 'A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House Bill No. 159 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 159 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 10th day of May, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 124 transmitting his statement of objections to Senate Bill No. 95, which he has returned to the Senate without his approval:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

May 10, 1985

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 95

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 95, entitled, 'A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES'.

The purpose of Senate Bill No. 95 is to create a new chapter that consolidates aquatic resources' provisions contained in chapters 187 and 188, Hawaii Revised Statutes.

This bill is substantially the same as House Bill No. 192, which was also

passed by the 1985 Legislature. The measures differ only in that House Bill No. 192 designates the number of the new chapter, while this bill does not. Since I intend to approve House Bill No. 192, there is no need to also approve this bill.

For the foregoing reason, I am returning Senate Bill No. 95 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 95, entitled, 'A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 95, is unacceptable to the Governor of the State of Hawaii'

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 95 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 10th day of May, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 125 transmitting his statement of objections to Senate Bill No. 102, which he has returned to the Senate without his approval:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

May 10, 1985

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 102

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 102, entitled, 'A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING'.

Senate Bill No. 102 would amend section 346-71(c), Hawaii Revised Statutes, to delete the provision for financial assistance under the State's general assistance program to children living in licensed foster boarding homes or child caring institutions.

However, Senate Bill No. 102 is identical to House Bill No. 262, which was enacted into law as Act 24 with my approval on April 18, 1985. Consequently, there is no necessity to enact Senate Bill No. 102.

For the foregoing reason, I am returning Senate Bill No. 102 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 102, entitled, 'A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 102 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proc-

lamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 102 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 10th day of May, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 126 informing the House that on May 14, 1985, he signed the following bills into law:

Senate Bill No. 775 as Act 97,
entitled: "RELATING TO LITTER
CONTROL";

House Bill No. 96 as Act 98,
entitled: "ESTABLISHING AN
ADVISORY COMMITTEE TO STUDY
OVERLAPPING STATE AND
COUNTY FUNCTIONS";

House Bill No. 115 as Act 99,
entitled: "RELATING TO THE
DEPARTMENT OF AGRICULTURE";

House Bill No. 223 as Act 100,
entitled: "RELATING TO THE
UNIFORM SECURITIES ACT
(MODIFIED)";

House Bill No. 227 as Act 101,
entitled: "RELATING TO CEME-
TERIES AND MORTUARIES";

House Bill No. 230 as Act 102,
entitled: "RELATING TO THE
MOTOR VEHICLE INDUSTRY".

Gov. Msg. No. 127 informing the House that on May 20, 1985, he signed the following bills into law:

Senate Bill No. 27 as Act 103,
entitled: "RELATING TO THE
STATE FIRE COUNCIL";

Senate Bill No. 128 as Act 104,
entitled: "RELATING TO THE
SHORES AND SHORELINE";

Senate Bill No. 132 as Act 105,
entitled: "RELATING TO LIGHTS
FOR MOTOR VEHICLES, MOTOR-
CYCLES, MOTOR SCOOTERS,
MOTORIZED BICYCLES";

Senate Bill No. 188 as Act 106,
entitled: "RELATING TO THE
DEPARTMENT OF COMMERCE AND
CONSUMER AFFAIRS";

Senate Bill No. 255 as Act 107,
entitled: "RELATING TO COM-
PLIANCE WITH COURT ORDERS IN
TRAFFIC CASES";

Senate Bill No. 651 as Act 108,
entitled: "RELATING TO HISTORIC
PRESERVATION";

Senate Bill No. 1299 as Act 109,
entitled: "RELATING TO COUNTY
LIQUOR COMMISSIONS";

House Bill No. 113 as Act 110,
entitled: "RELATING TO REGU-
LATION OF DEALERS IN FARM
PRODUCE";

House Bill No. 114 as Act 111,
entitled: "RELATING TO AGRI-
CULTURAL COMMODITIES";

House Bill No. 211 as Act 112,
entitled: "RELATING TO HIGH
TECHNOLOGY DEVELOPMENT
CORPORATION".

Gov. Msg. No. 128 informing the House that on May 28, 1985, he signed the following bills into law:

Senate Bill No. 93 as Act 113,
entitled: "RELATING TO FISH
CATCH REPORTS";

Senate Bill No. 182 as Act 114,
entitled: "RELATING TO TIME
SHARING";

Senate Bill No. 201 as Act 115,
entitled: "RELATING TO PSY-
CHOLOGISTS";

Senate Bill No. 280 as Act 116,
entitled: "RELATING TO PUBLIC
LANDS";

Senate Bill No. 327 as Act 117,
entitled: "RELATING TO MOTOR
VEHICLE ACCIDENT REPARA-
TIONS";

Senate Bill No. 457 as Act 118,
entitled: "RELATING TO HORI-
ZONTAL PROPERTY REGIMES";

Senate Bill No. 460 as Act 119,
entitled: "RELATING TO THE
HAWAII CRIMINAL JUSTICE DATA
CENTER";

Senate Bill No. 714 as Act 120,
entitled: "RELATING TO THE
AUTHORIZATION OF SPECIAL
PURPOSE REVENUE BONDS";

Senate Bill No. 936 as Act 121,
entitled: "MAKING AN APPRO-
PRIATION FOR THE REDEVEL-
OPMENT OF THE ALOHA TOWER
COMPLEX";

Senate Bill No. 1264 as Act 122, entitled: "RELATING TO MOTOR VEHICLE SAFETY";

Senate Bill No. 1270 as Act 123, entitled: "RELATING TO REAL ESTATE";

House Bill No. 181 as Act 124, entitled: "RELATING TO HISTORIC PRESERVATION";

Senate Bill No. 217 as Act 125, entitled: "RELATING TO PODIATRY";

Senate Bill No. 556 as Act 126, entitled: "RELATING TO PILOTAGE";

Senate Bill No. 702 as Act 127, entitled: "RELATING TO ENVIRONMENTAL QUALITY";

Senate Bill No. 1170 as Act 128, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

Senate Bill No. 1224 as Act 129, entitled: "RELATING TO FISHING";

Senate Bill No. 1297 as Act 130, entitled: "RELATING TO THE GENERAL EXCISE TAX";

Senate Bill No. 1353 as Act 131, entitled: "RELATING TO PESTICIDES";

Senate Bill No. 1354 as Act 132, entitled: "RELATING TO SOCIAL SERVICES AND HOUSING";

House Bill No. 111 as Act 133, entitled: "RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE";

House Bill No. 147 as Act 134, entitled: "RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 229 as Act 135, entitled: "RELATING TO COMMERCIAL EMPLOYMENT AGENCIES".

Gov. Msg. No. 129 informing the House that on May 29, 1985, he signed the following bills into law:

Senate Bill No. 253 as Act 136, entitled: "RELATING TO FAMILY COURT";

Senate Bill No. 469 as Act 137, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

Senate Bill No. 153 as Act 138, entitled: "RELATING TO GEOTHERMAL ENERGY";

Senate Bill No. 634 as Act 139, entitled: "RELATING TO LITTER LAW VIOLATION PENALTIES";

Senate Bill No. 1136 as Act 140, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESMEN";

Senate Bill No. 1178 as Act 141, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESMEN";

Senate Bill No. 1392 as Act 142, entitled: "RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS";

Senate Bill No. 1408 as Act 143, entitled: "RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS";

House Bill No. 162 as Act 144, entitled: "RELATING TO HEALTH";

House Bill No. 236 as Act 145, entitled: "RELATING TO TIME SHARING";

House Bill No. 614 as Act 146, entitled: "RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES";

Senate Bill No. 252 as Act 147, entitled: "RELATING TO LAND COURT FEES";

Senate Bill No. 1397 as Act 148, entitled: "RELATING TO LAND EVALUATION AND SITE ASSESSMENT";

SENATE BILL NO. 1409 as Act 149, entitled: "RELATING TO CONSERVATION EASEMENTS".

Gov. Msg. No. 130 informing the House that on May 31, 1985, he signed the following bills into law:

Senate Bill No. 76 as Act 150, entitled: "RELATING TO CONTROLLED SUBSTANCES";

Senate Bill No. 141 as Act 151, entitled: "RELATING TO THE UNIVERSITY OF HAWAII'S VOCATIONAL AND TECHNICAL TRAINING PROJECTS REVOLVING FUND";

Senate Bill No. 260 as Act 152, entitled: "RELATING TO FINANCIAL DISCLOSURES";

Senate Bill No. 462 as Act 153, entitled: "RELATING TO TERMS OF BOARDS AND COMMISSIONS";

Senate Bill No. 610 as Act 154, entitled: "RELATING TO NOTARIES PUBLIC";

Senate Bill No. 1132 as Act 155, entitled: "RELATING TO LIQUOR LICENSES";

Senate Bill No. 1157 as Act 156, entitled: "RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITY";

Senate Bill No. 1175 as Act 157, entitled: "RELATING TO RETAIL INSTALLMENT SALES";

Senate Bill No. 1221 as Act 158, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS";

House Bill No. 155 as Act 159, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 228 as Act 160, entitled: "RELATING TO CONTRACTORS";

House Bill No. 462 as Act 161, entitled: "RELATING TO WARRANTIES";

House Bill No. 522 as Act 162, entitled: "RELATING TO MANDATORY RETIREMENT".

Gov. Msg. No. 131 informing the House that on May 31, 1985, he signed the following bills into law:

Senate Bill No. 83 as Act 163, entitled: "RELATING TO AGRICULTURAL PARKS";

Senate Bill No. 224 as Act 164, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 459 as Act 165, entitled: "RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER";

Senate Bill No. 742 as Act 166, entitled: "RELATING TO BAIL";

and on June 1, 1985, he signed the following bills into law:

Senate Bill No. 249 as Act 167, entitled: "RELATING TO THE CONFIDENTIALITY OF ADULT PROBATION RECORDS";

House Bill No. 38 as Act 168,

entitled: "RELATING TO INSURANCE";

House Bill No. 99 as Act 169, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 129 as Act 170, entitled: "RELATING TO THE BOARD OF EDUCATION";

House Bill No. 134 as Act 171, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";

House Bill No. 146 as Act 172, entitled: "RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS";

House Bill No. 166 as Act 173, entitled: "RELATING TO HEALTH";

House Bill No. 193 as Act 174, entitled: "RELATING TO WILDLIFE";

House Bill No. 264 as Act 175, entitled: "RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT";

House Bill No. 266 as Act 176, entitled: "RELATING TO CHILD SUPPORT";

House Bill No. 267 as Act 177, entitled: "RELATING TO CHILD SUPPORT";

House Bill No. 363 as Act 178, entitled: "RELATING TO DRIVERS' EDUCATION FUND UNDERWRITERS' FEE";

House Bill No. 492 as Act 179, entitled: "RELATING TO BEES";

House Bill No. 519 as Act 180, entitled: "RELATING TO MOTOR AND OTHER VEHICLES";

House Bill No. 557 as Act 181, entitled: "RELATING TO MOTOR VEHICLE REPARATIONS";

House Bill No. 830 as Act 182, entitled: "RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT";

House Bill No. 1000 as Act 183, entitled: "RELATING TO HOUSING";

House Bill No. 1060 as Act 184,

entitled: "RELATING TO INSURANCE";

House Bill No. 1163 as Act 185, entitled: "RELATING TO CHILD VICTIMS AND WITNESSES; RIGHTS AND SERVICES";

House Bill No. 1393 as Act 186, entitled: "RELATING TO CIVIL AIR PATROL".

Gov. Msg. No. 132 returning House Bill No. 154, without his approval, together with his statement of objections relating to the measure:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 1, 1985

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 154

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 154, entitled, 'A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED'.

The purpose of House Bill No. 154 is to amend Section 208 of the Hawaiian Homes Commission Act, 1920, as amended, to remove the requirement mandating the homestead lessee to occupy and use the homestead lot within one year after the lease is made.

However, Senate Bill No. 404, which was also passed by the 1985 Legislature and which became law on May 1, 1985, as Act 60, with my approval, amended the same Section 208 of the Hawaiian Homes Commission Act, 1920, as amended, to delete the wording that mandated occupancy within one year. Since Act 60 has already accomplished the substantive purpose of this bill, there is no necessity to also enact this bill.

For the foregoing reason, I am returning House Bill No. 154 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 154, entitled, 'A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House Bill No. 154 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 154 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 1st day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 133 returning House Bill No. 1271, without his approval, together with his statement of objections relating to the measure:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 1, 1985

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 1271

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1271, entitled, 'A BILL FOR AN ACT RELATING TO REAL ESTATE'.

The purpose of House Bill No. 1271

is to increase the amount of original real estate license fees, which must be contributed to the real estate education fund (hereinafter 'fund'), from \$5 to \$20; to increase the amount of the license fees for the biennial renewal of real estate licenses, which must be contributed to the fund, from \$10 to \$20; and to provide for a temporary moratorium on renewal contributions, if, beginning on July 1, 1987, the fund balance exceeds \$1,200,000 at the end of any fiscal biennium.

However, House Bill No. 1271 is substantially identical to Senate Bill No. 1274, which also passed the 1985 Legislature. since I intend to approve Senate Bill No. 1274 which will accomplish the purpose of House Bill No. 1271, there is no necessity to also approve this bill.

For the foregoing reason, I am returning House Bill No. 1271 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1271, entitled, 'A BILL FOR AN ACT RELATING TO REAL ESTATE', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House Bill No. 1271 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1271 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 1st day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 134 transmitting his statement of objections to Senate Bill No. 69, which he has returned to the Senate without his approval:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 1, 1985

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 69

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 69, entitled, 'A BILL FOR AN ACT RELATING TO HEALTH'.

The purpose of Senate Bill No. 69 is to authorize the Department of Health to regulate the systematic testing and screening of newborn infants for metabolic diseases. Senate Bill No. 69 will move the statutory provisions on the testing of newborns from Chapter 333, entitled 'Mental Retardation', to Chapter 321, the general chapter for the Department of Health, by repealing section 333-1 and adding a new section to part IV, entitled 'Crippled Children', of Chapter 321, Hawaii Revised Statutes. The move was proposed by the Department of Health because not all metabolic diseases result in mental retardation.

This bill is substantially similar to House Bill No. 166, which was also passed by the 1985 Legislature. Both bills make the attending physician or the person assisting a birth that is not attended by a physician responsible for ensuring that newborn infant is tested. However, House Bill No. 166 differs from this bill by making the person in charge of each institution caring for newborn infants also responsible. Since I intend to approve House Bill No. 166, which accomplishes the purpose of this bill, there is no need to duplicate enactments by also approving this bill.

For the foregoing reason, I am

returning Senate Bill No. 69 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 69, entitled, 'A BILL FOR AN ACT RELATING TO HEALTH', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 69 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 69 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 1st day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 135 informing the House that on June 3, 1985, he signed the following bills into law:

Senate Bill No. 1198 as Act 187, entitled: "RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT";

Senate Bill No. 1287 as Act 188, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 39 as Act 189, entitled: "RELATING TO BUSINESS REGISTRATION";

House Bill No. 104 as Act 190, entitled: "RELATING TO NAMES";

House Bill No. 311 as Act 191, entitled: "RELATING TO MOTOR CARRIERS";

House Bill No. 333 as Act 192, entitled: "RELATING TO DISPOSITION OF DEFENDANTS";

House Bill No. 404 as Act 193, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS";

House Bill No. 453 as Act 194, entitled: "RELATING TO THE METROPOLITAN PLANNING ORGANIZATION";

House Bill No. 509 as Act 195, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 697 as Act 196, entitled: "RELATING TO REPORTING OF PENAL CODE OFFENSES OCCURRING IN PUBLIC SCHOOLS";

House Bill No. 755 as Act 197, entitled: "RELATING TO OSTEOPATHIC EXAMINERS";

House Bill No. 757 as Act 198, entitled: "RELATING TO ELEVATOR MECHANICS";

House Bill No. 761 as Act 199, entitled: "RELATING TO NURSING HOME ADMINISTRATORS";

House Bill No. 997 as Act 200, entitled: "MAKING AN APPROPRIATION FOR THE STATE'S RENTAL ASSISTANCE PROGRAM";

House Bill No. 1054 as Act 201, entitled: "RELATING TO PUBLIC UTILITIES";

House Bill No. 1056 as Act 202, entitled: "RELATING TO EXAMINATION OF INSURERS";

House Bill No. 1257 as Act 203, entitled: "RELATING TO ELECTIONS";

House Bill No. 1354 as Act 204, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

House Bill No. 1357 as Act 205, entitled: "RELATING TO INSURANCE";

House bill No. 1386 as Act 206, entitled: "RELATING TO ELECTIONS".

Gov. Msg. No. 136 informing the

House that on June 3, 1985, he signed the following bills into law:

House Bill No. 49 as Act 207, entitled: "RELATING TO CARE FOR THE ELDERLY";

House Bill No. 776 as Act 208, entitled: "RELATING TO CHILD CARE";

House Bill No. 1285 as Act 209, entitled: "RELATING TO CRIMINAL RECORDS CLEARANCE";

and on June 4, 1985, he signed the following bills into law:

Senate Bill No. 36 as Act 210, entitled: "RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR";

Senate Bill No. 319 as Act 211, entitled: "RELATING TO CHAPTER 237, HAWAII REVISED STATUTES";

Senate Bill No. 588 as Act 212, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 589 as Act 213, entitled: "RELATING TO PUBLIC EMPLOYEES";

Senate Bill No. 665 as Act 214, entitled: "RELATING TO ACUPUNCTURE";

Senate Bill No. 1271 as Act 215, entitled: "RELATING TO CONTRACTORS";

Senate Bill No. 1404 as Act 216, entitled: "RELATING TO FRAUDULENT TRANSFERS";

House Bill No. 108 as Act 217, entitled: "RELATING TO RETENTION OF CASHED WARRANTS";

House Bill No. 153 as Act 218, entitled: "RELATING TO MEMBERS OF BOARDS AND COMMISSIONS";

House Bill No. 165 as Act 219, entitled: "RELATING TO MENTAL HEALTH";

House Bill No. 171 as Act 220, entitled: "RELATING TO MENTAL HEALTH";

House Bill No. 194 as Act 221, entitled: "RELATING TO ACCRETION";

House Bill No. 195 as Act 222,

entitled: "RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES";

House Bill No. 235 as Act 223, entitled: "RELATING TO PHARMACISTS AND PHARMACY";

House Bill No. 234 as Act 224, entitled: "RELATING TO OPTOMETRY";

House Bill No. 436 as Act 225, entitled: "RELATING TO PERSONAL CARE SERVICES";

House Bill No. 949 as Act 226, entitled: "RELATING TO GEOTHERMAL RESOURCES";

House Bill No. 1162 as Act 227, entitled: "RELATING TO RIGHTS OF VICTIMS AND SURVIVING IMMEDIATE FAMILY MEMBERS TO NOTIFICATION TO PAROLE OR RELEASE OF A PRISONER";

House Bill No. 1166 as Act 228, entitled: "RELATING TO VICTIM NOTIFICATION REQUIREMENTS OF CONDITIONAL RELEASE CENTERS; FURLOUGHS FOR PRISONERS".

Gov. Msg. No. 137 returning House Bill No. 20, without his approval, together with his statement of objections relating to the measure:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 4, 1985

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 20

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 20, entitled, 'A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFORE'.

The purpose of House Bill No. 20 is to appropriate \$386,240.11 to compensate victims of crime and providers of services to victims of crime, under the Criminal Injuries Compensation Act, Chapter 351, Hawaii Revised Statutes.

The appropriation of funds to be

made by this bill is identical to the appropriation to be made by Senate Bill No. 36, which was also passed by the Legislature during the 1985 regular session. Since I intend to approve Senate Bill No. 36, there is no necessity to also approve this bill.

For the foregoing reason, I am returning House Bill No. 20 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 20, entitled, 'A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House Bill No. 20 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 20 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 4th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 138 returning House Bill No. 214, without his approval, together with his statement of ob-

jections relating to the measure:

"STATE OF HAWAII EXECUTIVE CHAMBERS"

June 4, 1985

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 214

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 214, entitled, 'A BILL FOR AN ACT RELATING TO COMMITTEE MEMBERSHIP'.

The purpose of House Bill No. 214 is to amend existing statutes relating to the Governor's Agriculture Coordinating Committee, the Hawaii Fisheries Coordinating Council, and the Interagency Committee of the Commission on Manpower and Full Employment to allow designated alternate representatives to participate in the respective committee meetings in lieu of the primary members.

However, House Bill No. 214 is substantially similar to Senate Bill No. 160, which also passed the 1985 Legislature and which became law, as Act 35, with my approval on April 24, 1985. Since Act 35 accomplished the purpose of House Bill No. 214, there is no necessity to also approve this bill.

For the foregoing reason, I am returning House Bill No. 214 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 214, entitled, 'A BILL FOR AN ACT RE-

LATING TO COMMITTEE MEMBER-SHIP', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House Bill No. 214 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 214 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 4th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 139 returning House Bill No. 219, without his approval, together with his statement of objections relating to the measure:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 4, 1985

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 219

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 219, entitled, 'A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS'.

The purpose of House Bill No. 219 is to permit special purpose revenue bonds to be used to finance the development of private parking structures in the Kakaako Community Development District.

However, House Bill No. 219 is identical to Senate Bill No. 165, which was also passed by the 1985 Legislature and which became law, as Act 43, with my approval on April 30, 1985. Therefore, there is no necessity to also approve this bill.

For the foregoing reason, I am

returning House Bill No. 219 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 219, entitled, 'A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House Bill No. 219 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 219 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 4th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 140 returning House Bill No. 1382, without his approval, together with his statement of objections relating to the measure:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 4, 1985

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 1382

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1382, entitled, 'A BILL FOR AN ACT RELATING TO CONTRACTORS'.

The purpose of House Bill No. 1382 is to require owner-builders or lessors who build on or improve their property to register for an exemption from the contractors license law. The bill also requires each county or local subdivision of the State to maintain an owner-builder registration list containing certain information.

However, House Bill No. 1382 is substantially similar to Senate Bill No. 1271, which also passed the 1985 Legislature. Since I intend to approve Senate Bill No. 1271, which will accomplish the purpose of House Bill No. 1382, there is no necessity to also approve this bill.

For the foregoing reason, I am returning House Bill No. 1382 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1382, entitled, 'A BILL FOR AN ACT RELATING TO CONTRACTORS', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House Bill No. 1382 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1382 with my objections thereon to the Legislature as provided by said Section 16 of Article

III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 4th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 141 informing the House that on June 5, 1985, he signed the following bills into law:

Senate Bill No. 20 as Act 229, entitled: "MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT";

Senate Bill No. 149 as Act 230, entitled: "RELATING TO LAND USE";

Senate Bill No. 309 as Act 231, entitled: "RELATING TO INSURANCE FOR MOTOR VEHICLES AND OTHER VEHICLES";

Senate Bill No. 937 as Act 232, entitled: "RELATING TO TAXATION";

Senate Bill No. 961 as Act 233, entitled: "RELATING TO BANKS";

House Bill No. 40 as Act 234, entitled: "RELATING TO INTEREST";

House Bill No. 89 as Act 235, entitled: "RELATING TO TRAFFIC SAFETY";

House Bill No. 184 as Act 236, entitled: "RELATING TO THE AQUACULTURE ADVISORY COUNCIL";

House Bill No. 206 as Act 237, entitled: "RELATING TO THE FACILITATION OF PERMIT PROCESSING";

House Bill No. 233 as Act 238, entitled: "RELATING TO THE PRACTICE OF NURSING";

House Bill No. 281 as Act 239, entitled: "RELATING TO THE STATE HIGHWAY FUND";

House Bill No. 743 as Act 240, entitled: "RELATING TO THE HAWAII INSURANCE LAW";

Senate Bill No. 78 as Act 241, entitled: "RELATING TO EMPLOYMENT PRACTICES";

Senate Bill No. 90 as Act 242,

entitled: "RELATING TO COMMERCIAL MARINE LICENSE";

Senate Bill No. 342 as Act 243, entitled: "RELATING TO PESTICIDES";

Senate Bill No. 384 as Act 244, entitled: "RELATING TO STATE BONDS";

Senate Bill No. 557 as Act 245, entitled: "RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES";

Senate Bill No. 854 as Act 246, entitled: "RELATING TO SAFETY INSPECTIONS OF MOTOR CARRIER VEHICLES";

Senate Bill No. 932 as Act 247, entitled: "RELATING TO AGREEMENTS OF SALE";

Senate Bill No. 1186 as Act 248, entitled: "RELATING TO HOSPITALS";

Senate Bill No. 1274 as Act 249, entitled: "RELATING TO REAL ESTATE";

House Bill No. 160 as Act 250, entitled: "RELATING TO HANSEN'S DISEASE";

House Bill No. 174 as Act 251, entitled: "RELATING TO EMPLOYMENT RELATIONS BOARDS";

House Bill No. 176 as Act 252, entitled: "RELATING TO THE COMMISSION ON MANPOWER AND FULL EMPLOYMENT";

House Bill No. 188 as Act 253, entitled: "RELATING TO FISHING";

House Bill No. 231 as Act 254, entitled: "RELATING TO THE MOTOR VEHICLE INDUSTRY";

House Bill No. 239 as Act 255, entitled: "RELATING TO BOARDS";

House Bill No. 263 as Act 256, entitled: "RELATING TO RETENTION OF STATE TAX REFUNDS";

House Bill No. 268 as Act 257, entitled: "RELATING TO CHILD SUPPORT";

House Bill No. 329 as Act 258, entitled: "RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR";

House Bill No. 346 as Act 259, entitled: "RELATING TO CORPORATIONS";

House Bill No. 352 as Act 260, entitled: "RELATING TO SOLICITATION OF FUNDS";

House bill No. 382 as Act 261, entitled: "RELATING TO JURORS' MILEAGE FEE";

House Bill No. 401 as Act 262, entitled: "RELATING TO ANIMALS";

House Bill No. 674 as Act 263, entitled: "RELATING TO REEMPLOYMENT AND RECALL LISTS";

House Bill No. 759 as Act 264, entitled: "RELATING TO PHARMACY";

House Bill No. 839 as Act 265, entitled: "RELATING TO CONSUMER PROTECTION";

House Bill No. 1243 as Act 266, entitled: "RELATING TO AQUACULTURE COOPERATIVE ASSOCIATIONS".

Gov. Msg. No. 142 informing the House that on June 6, 1985, he signed the following bills into law:

Senate Bill No. 155 as Act 267, entitled: "RELATING TO TAX INCREMENT FINANCING";

House Bill No. 208 as Act 268, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

House Bill No. 240 as Act 269, entitled: "RELATING TO THE COMMISSIONER OF FINANCIAL INSTITUTIONS";

House Bill No. 347 as Act 270, entitled: "RELATING TO CORPORATIONS".

Gov. Msg. No. 143 returning House Bill No. 209, without his approval, together with his statement of objections relating to the measure:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 6, 1985

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 209

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 209, entitled, 'A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING'.

The purpose of House Bill No. 209 is to provide enabling legislation for the various counties to establish tax increment districts and to authorize the counties to issue tax increment bonds to finance the costs of infrastructure and public improvements in such districts.

However, House Bill No. 209 is substantially similar to Senate Bill No. 155, which also passed the 1985 Legislature. Since I intend to approve Senate Bill No. 155, which will accomplish the purpose of House Bill No. 209, there is no necessity to also approve this bill.

For the foregoing reason, I am returning House Bill No. 209 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 209, entitled, 'A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House bill No. 209 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 209 with my objections thereon to the Legislature as provided by said Section 16 of Article III of

the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 6th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 144 transmitting his statement of objections to Senate Bill No. 154, which he has returned to the Senate without his approval:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 6, 1985

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 154

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 154, entitled, 'A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY'.

The purpose of Senate Bill No. 154 is to authorize the Hawaii Community Development Authority to issue \$15 million of revenue bonds to finance the development of public facilities in Kakaako.

However, Senate Bill No. 154 is substantially identical to House Bill No. 208, which was also passed by the 1985 Legislature. Since I intend to approve House Bill No. 208, which will accomplish the purpose of Senate Bill No. 154, there is no necessity to also approve this bill.

For the foregoing reason, I am returning Senate Bill No. 154 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to

him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 154, entitled, 'A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 154 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 154 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 6th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 145 informing the House that on June 7, 1985, he signed the following bills into law:

Senate Bill No. 59 as Act 271, entitled: "RELATING TO IMMUNIZATION FOR SCHOOL ATTENDANCE";

Senate Bill No. 64 as Act 272, entitled: "RELATING TO DOMICILIARY CARE";

Senate Bill No. 236 as Act 273, entitled: "RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS";

Senate Bill No. 379 as Act 274, entitled: "RELATING TO THE MOTOR CARRIER SAFETY LAW";

Senate Bill No. 461 as Act 275, entitled: "RELATING TO SHOP-LIFTING";

Senate Bill No. 726 as Act 276, entitled: "RELATING TO PHYSICAL THERAPY";

Senate Bill No. 735 as Act 277, entitled: "RELATING TO CHECKS";

Senate Bill No. 1413 as Act 278, entitled: "RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS";

House Bill No. 28 as Act 279, entitled: "RELATING TO EVIDENCE";

House Bill No. 33 as Act 280, entitled: "RELATING TO SENCING";

House Bill No. 824 as Act 281, entitled: "RELATING TO PAYMENT FOR GOODS AND SERVICES UNDER SECTION 103-10, HAWAII REVISED STATUTES, AS AMENDED";

House Bill No. 1231 as Act 282, entitled: "RELATING TO ENVIRONMENTAL QUALITY";

Senate Bill No. 561 as Act 283, entitled: "RELATING TO INCOME TAXATION".

Gov. Msg. No. 146 informing the House that on June 8, 1985, he signed the following bills into law:

Senate Bill No. 470 as Act 284, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

Senate Bill No. 1127 as Act 285, entitled: "RELATING TO DENTAL HYGIENISTS";

Senate Bill No. 1138 as Act 286, entitled: "RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)";

Senate Bill No. 1286 as Act 287, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 460 as Act 288, entitled: "RELATING TO ATTORNEY'S FEES, COSTS, AND EXPENSES";

House Bill No. 479 as Act 289, entitled: "RELATING TO THE STATE FISH";

House Bill No. 488 as Act 290, entitled: "RELATING TO HEALTH";

House Bill No. 813 as Act 291, entitled: "RELATING TO COUNTY BONDS AND FINANCING SOLID WASTE PROCESSING AND DISPOSAL AND ELECTRIC GENERATING FACILITIES";

House Bill No. 1275 as Act 292, entitled: "RELATING TO THE

PUBLIC UTILITIES COMMISSION".

Gov. Msg. No. 147 informing the House that on June 12, 1985, he signed the following bills into law:

Senate Bill No. 245 as Act 293, entitled: "RELATING TO THE HAWAII REVISED STATUTES";

Senate Bill No. 1144 as Act 294, entitled: "RELATING TO OPTOMETRY";

Senate Bill No. 1223 as Act 295, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 463 as Act 296, entitled: "RELATING TO WORKERS' COMPENSATION";

House Bill No. 558 as Act 297, entitled: "RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS";

House Bill No. 1063 as Act 298, entitled: "RELATING TO LAND USE";

Senate Bill No. 133 as Act 299, entitled: "RELATING TO THE REGISTRATION OF AIRCRAFT";

House Bill No. 1 as Act 300, entitled: "RELATING TO THE STATE BUDGET";

House Bill No. 1131 as Act 301, entitled: "RELATING TO CHAPTER 42";

House Bill No. 434 as Act 302, entitled: "RELATING TO DOMICILIARY CARE";

Senate Bill No. 239 as Act 303, entitled: "RELATING TO TAXATION";

Senate Bill No. 426 as Act 304, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND".

Gov. Msg. No. 148 returning House Bill No. 905, without his approval, together with his statement of objections relating to the measure:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 12, 1985

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 905

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 905, entitled, 'A BILL FOR AN ACT RELATING TO HEALTH'.

The purpose of House Bill No. 905 is to assist in the recruitment of physicians for programs in the Department of Health and the Department of Social Services and Housing. House Bill No. 905 would require the University of Hawaii School of Medicine to receive two positions within its accredited medical school residency program in each of the fiscal years 1985-1986, 1986-1987, and 1987-1988 for medical school graduates who contractually agree to work for those departments for two years following completion of the residency program and licensure.

The requirements imposed on the University of Hawaii School of Medicine by House Bill No. 905 would conflict with the operation of the existing medical residency program in this State. This residency program is administered by a private non-profit corporation comprised of a consortium of hospitals within the State and the University of Hawaii School of Medicine. The corporation pays all costs associated with the residency program and is funded by pro-rata assessments to consortium members, with the hospitals bearing the major portion of the costs of the residency program. Each member of the consortium is represented on the board of directors which collectively selects candidates for the residency program. The University of Hawaii School of Medicine cannot unilaterally reserve certain positions within the residency program for the purposes of House Bill No. 905. Furthermore, while the bill requires that positions within the residency program be reserved commencing in fiscal year 1985-1986, the candidate selection procedure has already been completed for 1985-1986, and there are no remaining positions within the program. Moreover, the bill contains no provision for funding the positions within the residency program which are to be reserved.

Further, the bill does not address the problems that may arise from having doctors completing their residency training in one medical discipline, such as ophthalmology, being forced to fill positions requiring

skills unrelated to those specialities.

June 12, 1985

There is also the concern that the bill will either establish two classes of residents or will unfairly impose requirements on a few participants in the residency program.

For the foregoing reason, I am returning House Bill No. 905 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 905, entitled, 'A BILL FOR AN ACT RELATING TO HEALTH', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House Bill No. 905 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 905 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 149 returning House Bill No. 995, without his approval, together with his statement of objections relating to the measure:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 995

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 995, entitled, 'A BILL FOR AN ACT RELATING TO MASSAGE'.

The purpose of House Bill No. 995 is to exempt "Native Hawaiians" from the apprenticeship requirements of Chapter 452 of the Hawaii Revised Statutes, which governs the practice of massage in the State of Hawaii.

Presently, under Section 452-13, Hawaii Revised Statutes, in order to be eligible to take the state examination for a license to practice massage, an applicant must have spent at least six months as a massage therapist apprentice and have met all other apprenticeship requirements contained in rules adopted by the Board of Massage. This bill amends Section 452-13, to exempt "Native Hawaiians" from such apprenticeship requirements. In addition, the bill amends Section 452-1, Hawaii Revised Statutes, to define 'Native Hawaiian' to mean 'any individual, any of whose ancestors were native of the area which consists of the Hawaiian Islands prior to 1778.'

The legislative committee reports indicate that the purpose of the bill is to exempt 'Native Hawaiians' who have mastered the art of 'lomilomi' and 'other forms of Hawaiian massage from kupuna' from apprenticeship requirements. The bill, however, goes beyond the purpose articulated in the committee reports by also exempting 'Native Hawaiians' from apprenticeship requirements which are applicable to the practice of those forms of massage other than 'lomilomi' and 'Hawaiian massage from kupuna.'

I also note that the definition of 'Native Hawaiian' in this bill is broader than the definition in section 201(7) of the Hawaiian Homes Commission Act, 1920, as amended, which defines 'native Hawaiian' to mean 'any descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands prior to 1778.' In contrast, this bill defines the 'Native Hawaiian' to require only that 'any' of an individual's ancestors had to be 'native of the area which

consists of the Hawaiian Islands prior to 1778.' Consequently, even an individual with an extremely small percentage of Hawaiian ancestry may qualify as a 'Native Hawaiian' under this bill.

Although the stated purpose of this bill may have merit, I believe that the actual wording of this bill goes unacceptably beyond that stated purpose. Since the overbroad wording of this bill apparently is not supported by any rationally related legitimate governmental objective, the classification of 'Native Hawaiians' to be established by this bill, a class based on ancestry, may offend the equal protection clauses of the constitutions of the United States and of the State of Hawaii.

For the foregoing reason, I am returning House Bill No. 995 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 995, entitled, 'A BILL FOR AN ACT RELATING TO MASSAGE', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House Bill No. 995 is unacceptable to the Governor of the State of Hawaii.

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 995 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,

this 12th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 150 returning House Bill No. 1356, without his approval, together with his statement of objections relating to the measure:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 12, 1985

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1356

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1356, entitled, 'A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS'.

The purpose of House Bill No. 1356 is to require members selected to the board of directors of the Hawaii Life and Disability Insurance Guaranty Association to be the appointed general agent or manager of the member insurer.

Unfortunately, House Bill No. 1356 unduly restricts the ability of member insurers, specifically domestic insurers, to appoint their representatives to the board. A well-qualified individual who is familiar and well versed with the operations of a particular member insurance company may be prohibited from serving on the board of the Hawaii Life and Disability Insurance Guaranty Association because such an individual is not a general agent or manager. Thus, this bill would create a disruptive effect on the operations of the board at a time when continuity is essential.

For the foregoing reason, I am returning House Bill No. 1356 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1356, entitled, 'A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House Bill No. 1356 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1356 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 151 transmitting his statement of objections to Senate Bill No. 192, which he has returned to the Senate without his approval:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 12, 1985

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 192

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 192, entitled, 'A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS'.

The purpose of Senate Bill No. 192

is to define four different levels of supervision required under chapter 448, Hawaii Revised Statutes, of a supervising dentist during the performance of a procedure by a dental auxiliary.

The bill defines the term 'general supervision', which is a term used in chapter 448 but not presently defined therein. 'General supervision' is defined in the bill to mean 'that the supervising dentist has authorized the procedure and it is being carried out by the auxiliary in accordance with the dentist's diagnosis and treatment plan. Although the immediate presence of the supervising dentist is not required, the procedure must be performed with the prior knowledge and consent of the dentist.'

There appears to be concern regarding the appropriateness of the definition of 'general supervision'. Interested parties have expressed concern that the foregoing definition is too lenient because it allows a dental auxiliary to complete a dental procedure while the supervising dentist is absent from the office. If a greater degree of supervision by a dentist is not required, interested parties believe that the health and safety of the public will be in jeopardy.

I believe that the foregoing definition poses a danger to the public health and safety.

For the foregoing reason, I am returning Senate Bill No. 192 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 192, entitled, 'A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 192 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 192 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 152 transmitting his statement of objections to Senate Bill No. 539, which he has returned to the Senate without his approval:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 12, 1985

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 539

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 539, entitled, 'A BILL FOR AN ACT RELATING TO ALARM BUSINESSES'.

The purpose of Senate Bill No. 539 is to create a new chapter in the Hawaii Revised Statutes to regulate businesses which sell, install, maintain, and repair burglar alarm systems.

The bill prescribes minimum standards of conduct for and responsibilities of alarm businesses and users of alarms. In particular, the bill requires that an alarm sales business maintain a surety bond in the amount of \$5,000 during its first five years of operation. 'Alarm sales business' is defined in the bill as 'any individual, corporation, or other business entity that engages in selling, leasing, or installing any alarm system in or on any building, place, or premises, except motor vehicles.'

There appears to be concern regarding the necessity for the bonding requirement. The following concerns have been expressed:

(1) The bonding requirement does not facilitate the primary purpose of S.B. No. 539, that of reducing the high number of false alarms caused by alarm systems which impose undue burdens on police resources.

(2) The bonding requirement places an undue financial burden on sellers of customer-installed alarm systems, who are not in the business of installing, maintaining, or repairing alarm systems.

(3) Alarm businesses are already regulated to a certain extent by chapter 444, Hawaii Revised Statutes. Alarm businesses that install, maintain, and repair central burglar alarm systems are presently required to be licensed as specialty contractors under chapter 444 and the Rules of the Contractors License board. In addition, section 444-16.5, Hawaii Revised Statutes, authorizes the Contractors License Board to require specialty contractors to obtain a bond in a sum of not less than \$2,500.

(4) The bonding requirement does not appear to be necessary inasmuch as the Office of Consumer Protection reports that it has only received a few complaints against alarm businesses within the past five years and that these complaints primarily involve allegations of failure to repair alarm systems in a timely manner.

I believe that the bonding requirement places an undue financial burden on alarm businesses which outweighs any benefits that may accrue to consumers.

For the foregoing reason, I am returning Senate Bill No. 539 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to

him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 539, entitled, 'A BILL FOR AN ACT RELATING TO ALARM BUSINESSES', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 539 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 539 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 153 transmitting his statement of objections to Senate Bill No. 615, which he has returned to the Senate without his approval:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 12, 1985

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 615

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 615, entitled, 'A BILL FOR AN ACT RELATING TO FEES FOR PRIVATE ATTORNEYS GENERAL'.

The purpose of Senate Bill No. 615 is to empower the courts to award reasonable attorney's fees to the private party who prevails against another private party in an injunctive action involving a development that is being undertaken without first having obtained all necessary government permits or approvals.

Members of the business community

have complained that an 'anti-business' climate exists in the State of Hawaii and that businesses are already over-regulated. This bill will tend to encourage litigation against businesses engaged in development activities and will tend to discourage attempts to commence development activities in this State. I believe that the enactment of this bill will aggravate the perception of an 'anti-business' climate existing in this State at a time when government agencies are attempting to streamline the permit-review process.

For the foregoing reason, I am returning Senate Bill No. 615 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 615, entitled, 'A BILL FOR AN ACT RELATING TO FEES FOR PRIVATE ATTORNEYS GENERAL', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 615 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 615 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 154 transmitting his statement of objections to Senate Bill No. 1209, which he has returned to the Senate without his approval:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 12, 1985

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1209

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1209, entitled, 'A BILL FOR AN ACT RELATING TO TAXATION'.

The purpose of Senate Bill No. 1209 is to add a new paragraph to Section 237-13, Hawaii Revised Statutes, which reduces the tax rate applicable to sales of air fares by registered travel agents or agencies from the current four percent to .15 percent of the commissions earned. All other commission income remains subject to the four percent tax rate.

The primary rationale for this proposed change is stated to be the eliminatin of the inequity which results from a purported federal prohibition against the pass-on of the general excise tax on travel agent commissions to air travelers.

However, review of 49 U.S.C. § 1373(b)(1), the Federal statute alluded to as prohibiting the pass-on of the general excise tax, disclosed that, pursuant to 49 U.S.C. § 1551(a)(2)(A), section 1373, to the extent that it applied to interstate and overseas air transportation of persons, was repealed as of January 1, 1983. As such, since January 1, 1983, there has been no specific Federal prohibition of travel agent pass-on of the State general excise tax.

In addition, the prohibition against the pass-on of the general excise tax included in the old Air Traffic Conference Agency Resolution and Sales Agency Agreement was eliminated when the present Airline Reporting Corporation replaced the old Air Traffic Conference on January 1, 1985. The present sales agency agreement between the travel agents and the Airline Reporting Corporation contains no such restriction and does not prohibit the travel agent from

selling air fares at prices other than the suggested price.

Therefore, presently, there apparently is no provision, statutory or otherwise, which would prohibit the pass-on of the general excise tax on sales of air fares, and travel agents have more flexibility in determining the price at which they may sell airline tickets. As a result, travel agents are no longer analogous to the insurance agents who are prohibited by Hawaii law from passing on the general excise tax. Furthermore, unlike the travel agents who can pass-on the tax on all of their non-air travel sales, the insurance agents were unable to offset any of the tax by passing it on in other areas wherein pass-on was not prohibited.

Thus, there is no longer any statutory basis for granting the preferential tax to travel agents provided in Senate Bill No. 1209. In fact, such a special preference would create an inequitable taxing situation when viewed against the many other sales representatives and agents who for contractual, economic, or other reasons do not pass-on the tax. This would open the floodgates to all other sales agents who would want similar preferential treatment, and could also lead to increased litigation challenging the equity of the preferential tax treatment.

Finally, the change proposed in Senate Bill No. 1209 will reduce the general fund revenues of the State. This is especially significant in that airlines presently pay no state general excise or public service company taxes. The tax on agents' commissions is the sole source of tax revenue from interstate and overseas carriers because of Commerce Clause problems with taxing ticket sales for interstate flights. With the recent demise of the public service company tax on airlines, the tax on commissions was the sole remaining source of revenue from airlines. By reducing the tax rate on these sales from four percent to the .15 percent proposed in this bill, the industry will go virtually untaxed.

While I deeply sympathize with the plight of those engaged in the tourism industry, in view of the infirmities discussed above and the potential impact the proposed change would have on the State's general fund revenue, it is my opinion that the bill will not serve the best interests of the State of Hawaii.

For the foregoing reason, I am returning Senate Bill No. 1209 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1209, entitled, 'A BILL FOR AN ACT RELATING TO TAXATION', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 1209 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1209 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 155 transmitting his statement of objections to Senate Bill No. 1290, which he has returned to the Senate without his approval:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 12, 1985

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1290

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1290, entitled, 'A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'.

The purpose of Senate Bill No. 1290 is to clarify the roles of the Department of Education and of the College of Education of the University of Hawaii with respect to research and development activities for the curriculum of public schools.

Although this bill will incorporate into law existing practices and procedures for curriculum research and development activities, the statutory amendments to be made by this bill may tend to 'freeze' existing practices and to restrict, rather than enlarge, the scope and nature of research to be conducted by the College of Education of the University of Hawaii.

For the foregoing reason, I am returning Senate Bill No. 1290 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1290, entitled, 'A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 1290 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1290 with my ob-

jections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 156 transmitting his statement of objections to Senate Bill No. 1358, which he has returned to the Senate without his approval:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 12, 1985

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1358

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1358, entitled, 'A BILL FOR AN ACT RELATING TO THE COSTS OF COURT'.

The purpose of Senate Bill No. 1358 is to allow prevailing parties in a litigation to recover as costs of court actual disbursements, 'including but not limited to,' disbursements for 'intrastate travel expenses for witnesses and counsel, deposition transcript originals and copies, and other incidental expenses, such as copying costs, intrastate long distance telephone charges, and postage.' The bill further provides that in determining whether and what costs should be taxed, the court may consider the 'equities of the situation.'

As explained in Senate Conference Committee Report No. 28 (April 17, 1985) and House Conference Committee Report No. 32 (April 17, 1985), the court's consideration of the 'equities of the situation' is intended to include a review of the merits of the claims, the reasonable necessity of the items sought to be taxed, the relative hardship if costs are taxed against the losing party, and other relevant factors.

Since the State is viewed as the traditional 'deep pocket,' the State is at a distinct disadvantage relative to

individual parties when the factor of 'hardship' is used in supporting or opposing the taxation of costs. Under the joint tortfeasor law in Hawaii, a plaintiff could be a prevailing party against the State of Hawaii even if the State were found to be only one percent liable for the plaintiff's damages. In such instances, the State could be required to pay one hundred percent of the judgment and the plaintiff's costs to litigate the case. Furthermore, the non-exclusive listing of allowable costs in the bill may well be seen as authorizing other similar costs, such as travel for expert witnesses and even mainland travel for attorneys and witnesses. Consequently, this bill may have a substantial and disproportionate financial impact on the State whenever the State does not prevail in a case, as well as present a strong probability that the State will not recover its costs whenever it does prevail in a case, and is not in the best interest of the State.

For the foregoing reason, I am returning Senate Bill No. 1358 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1358, entitled, 'A BILL FOR AN ACT RELATING TO THE COSTS OF COURT', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 1358 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1358 with my objec-

tions thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 157 transmitting his statement of objections to Senate Bill No. 1443, which he has returned to the Senate without his approval:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 12, 1985

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1443

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1443, entitled, 'A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE, PSYCHOLOGY'.

The purpose of Senate Bill No. 1443, is to amend Chapter 346, Hawaii Revised Statutes, to (1) specify that referral, direction, or prescription of services by another health care practitioner not be required for psychologists who treat welfare patients; (2) include psychologists in the definition of medical care for Medicaid reimbursement purposes; and (3) permit psychologists to determine disability for the purposes of enabling individuals to qualify for general assistance benefits. The legislative committees found that the services of psychologists are more cost-effective than those of physicians and that the services of psychologists have been shown to reduce overall medical costs.

Although the legislative intent to provide for more cost-effective services is commendable, the Department of Social Services and Housing has provided information showing that this bill will result in increased costs to the Medicaid program. Expenditure data reveal that average payments per case have been greater for psychologists than for psychiatrists since 1981 (when the allowance per case averaged \$271.29 for psychologists and \$258.22 for psychiatrists).

As of 1983, the average payment per case was \$323.08 for psychologists and \$305.94 for psychiatrists. Further, by relaxing control over the number and manner of treatment services that psychologists may provide to Medicaid recipients, this bill would create additional increases in Medicaid payments for psychological services. In 1979, Medicaid payments to psychologists totaled \$573,537 and, by 1983, payments had more than doubled to \$1,157,445. Consequently, although I may be willing to consider a limited pilot program to test the cost-effectiveness of the use of services of psychologists, I believe that, based on the expenditure data available presently, this bill will result in an unnecessary increase in cost to the Medicaid program and is objectionable at this time. This is compounded by the fact that we are looking at Medicaid cost containment.

For the foregoing reason, I am returning Senate Bill No. 1443 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1443, entitled, 'A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE, PSYCHOLOGY', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 1443 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1443 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June, 1985.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii".

Gov. Msg. No. 158 informing the
House that on June 25, 1985, he

signed the following bills into law:

House Bill No. 101 as Act 305,
entitled: "RELATING TO AN
OFFICE OF COMMUNITY SER-
VICES";

Senate Bill No. 213 as Act 306,
entitled: "RELATING TO PRIVATE
DETECTIVES AND GUARDS".

DEPARTMENTAL COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Dept. Com. No. 15 from Russell S. Nagata, Director, Department of Commerce and Consumer Affairs, acknowledging receipt of a copy of House Resolution No. 53, H.D. 1.

Dept. Com. No. 16 from Russell S. Nagata, Director, Department of Commerce and Consumer Affairs,

acknowledging receipt of a copy of House Resolution No. 333.

Dept. Com. No. 17 from Russell S. Nagata, Director, Department of Commerce and Consumer Affairs, acknowledging receipt of a copy of House Resolution No. 353.

MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Misc. Com. No. 6 from Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolution Nos. 109, 153, 131 and 135.

Misc. Com. No. 7 from Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Concurrent Resolution Nos. 73, 92, 62 and 78.

Misc. Com. No. 8 from Daniel Craig, Senior Legislative Assistant to Senator Inouye, acknowledging receipt of House Resolution Nos. 131, HD 1, and 236 and House Concurrent Resolution Nos. 33, HD 1; 62, HD 1; and 92, HD 1.

Misc. Com. No. 9 from the Honorable Patsy T. Mink, Chair, City Council, acknowledging receipt of a copy of House Concurrent Resolution No. 38, HD 1.

Misc. Com. No. 10 from Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolution Nos. 309, 251, 316 and 134.

Misc. Com. No. 11 from Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of House Resolution Nos. 145 and 236 and House Concurrent Resolution Nos. 4 and 33.

Misc. Com. No. 12 from Elisa J. Geier, Legislative Assistant to Senator Inouye, acknowledging receipt of a copy of House Resolution No. 309, regarding the inclusion of six central Oahu wells on the Superfund's National Priority List.

Misc. Com. No. 13 from Goro Hokama, Chairman, County Council, County of Maui, acknowledging receipt of a copy of House Concurrent Resolution No. 38, HD 1, relating to the State Education Functional Plan.

Misc. Com. No. 14 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution No. 316, HD 1, concerning the recovery of information about our American Prisoners of War in South East Asia.

Misc. Com. No. 15 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Concurrent Resolution No. 4, urging Hawaii's Congressional Dele-

gation to review and revise the Federal Bankruptcy Preference Law.

Misc. Com. No. 16 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Concurrent Resolution No. 103, HD 1, requesting that the federal government return or sell the Fort DeRussy area to the State of Hawaii.

Misc. Com. No. 17 from Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of a copy of House Resolution No. 366.

Misc. Com. No. 18 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of House Resolution No. 309, urging the federal Environmental Protection Agency to include six pesticide contaminated Central Oahu water wells on the national priorities list of eligible cleanup projects under Superfund.

Misc. Com. No. 19 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Concurrent Resolution No. 73, SD 1, requesting the federal government to take certain actions to assist schizophrenics.

Misc. Com. No. 20 from Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of a copy of House Resolution No. 414.

Misc. Com. No. 21 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution No. 153, HD 1, urging the Hawaii Congressional Delegation to work towards the establishment of a federal program to increase support for child abuse and neglect services to military personnel and their dependents.

Misc. Com. No. 22 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Resolution 414, relating to the nation's Farmers Rural Housing Programs.

Misc. Com. No. 23 from Bert W. Hawkins, Administrator, United States Department of Agriculture, acknowledging receipt of a copy of House Concurrent Resolution No. 33, HD 1, concerning use of irradiation as a

quarantine treatment for papayas.

Misc. Com. No. 24 from Glenn A. Metzdorf, General Manager, Planning and Response, United States Postal Service, acknowledging receipt of House Resolution No. 327, HD 1, concerning the issuance of a stamp to honor Duke Kahanamoku.

Misc. Com. No. 25 from Jack W. McGraw, Acting Assistant Administrator, United States Environmental Protection Agency, responding to a communication dated May 9, 1985, concerning the six sites located in South Central Oahu, Hawaii, which has been incorporated into the public docket as comment number NPL-U2-3-L58.

Misc. Com. No. 26 from Anne Higgins, Special Assistant to the President and Director of Correspondence, The White House, acknowledging receipt of several House Resolutions.

Misc. Com. No. 27 from the Honorable Spark Matsunaga, United States Senator, acknowledging receipt of a copy of House Resolution No. 316, HD 1, urging the United States Congress to hold public hearings in order to ascertain whether any of the nearly 2,500 Prisoners of War/Missing in Action in the Vietnam War are still alive and being held captive.

Misc. Com. No. 28 from William T. Johnstone, Assistant Postmaster General, acknowledging receipt of House Resolution No. 327, HD 1, concerning the issuance of a stamp honoring Duke Paoa Kahanamoku in conjunction with the 1988 Olympic games.

Misc. Com. No. 29 from James O. Mason, M.D., Dr.P.H., Acting Assistant Secretary for Health, acknowledging receipt of a copy of House Concurrent Resolution No. 73, SD 1.

Misc. Com. No. 30 from Manuel K. Oishi, County Clerk, County of Maui, acknowledging receipt of a copy of House Concurrent Resolution No. 38, HD 1, relating to the State Education Functional Plan.

Misc. Com. No. 31 from Alexis T. Lum, Major General, Hawaii Army National Guard, Adjutant General, acknowledging receipt of and responding to House Resolution No. 53, HD 1, concerning hazardous waste budget requirements and practices.

Misc. Com. No. 32 from Albert S. Yoshii, Assistant Superintendent, Department of Education, transmitting copies of the Agreement between the State of Hawaii, Board of Education and the Hawaii State Teachers Association (Unit 5 - Teachers) and the Agreement between the State of Hawaii, Board of Education and the Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO (Unit 6 Educational Officers), effective July 1, 1985.

Misc. Com. No. 33 from the Honorable Spark Matsunaga, United States Senator, transmitting a response from the Environmental Protection Agency concerning House Resolution No. 309, requesting that the EPA include six pesticide contaminated wells on Oahu on the national priorities list for cleanup under Superfund.

Misc. Com. No. 34 from Jack Katahira, Acting Director of Personnel, University of Hawaii, transmitting copies of the 1985-1987 Agreement between the University of Hawaii Professional Assembly and the Board of Regents of the University of Hawaii - Unit 07.

Misc. Com. No. 35 from the Honorable Cec Heftel, Member of Congress, informing the House that the House of Representatives passed H.R. 2100, the 1985 farm bill, on October 8, and retained and current sugar loan program.