

## 58TH DAY

**Tuesday, April 10, 1973**

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend Richard Kimm of the Korean Christian Church.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representatives Akizaki, A. Chong, Fong, Hapai, Kishinami, Kondo, Kunimura, Morioka, Nakama, Poepoe, Suwa, Yamada and Yuen who were excused.

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

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Seventh Day was approved.

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

Representative Iha introduced a group of fifth grade students from Kamehameha School.

Representative Soares introduced 30 Kindergarten students from Punahou School with their teacher, Mrs. Ane, and a parent, Mrs. Kawana.

Representative Kimura introduced Dr. Bernice Sandler who is currently an Executive Associate with the Association of American Colleges, where she is Director of the Project on the Status and Education of Women, funded by Carnegie, Danforth and Esso Foundation, and Mrs. Marion Saunders who accompanied her.

Representative J. Garcia then rose and, on a point of personal privilege, voiced his objection to the omission of the Minority members of this Honorable Body who voted against the budget as conferees on the State budget.

The Chair responded by stating that the Chair had replied to their inquiry that all members of the House who do not vote on some of these measures will not qualify as conferees and that the conferees on the part of the House should go into conference by supporting the position of the House.

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

"Mr. Speaker, your point is well taken relative to conferees being chosen and going into conference with their hands clean. I would just like to remind you that one of the conferees that was appointed last night from the Minority voted against the Medical School and the Law School. I want that to be known as a matter of record."

The Chair then replied that the member referred to voted for the budget and assumed that he will vote for the final reading of the budget.

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

"Mr. Speaker, please be assured that after listening to your rationale, the actions taken by you is certainly most considerate and we are in support of your decision."

Representative Ajifu rose on a point of personal privilege and stated:

"Mr. Speaker, with reference to some of the remarks that you have made, I agree partially that as a Minority member of the Finance Committee, we did participate, we have done all what we can to put our input into the budget and I must honestly say that the Chairman of the Finance Committee was very cooperative and has given us many considerations in terms of our discussion on the input into the budget.

However, there were many concerns that we have expressed which were not included and I think I have stated last night, speaking against the tax measure, that it is far more rational to resolve our money problems through a program of judicial cost saving, spending restraint and tax limitation and not tax increases."

At 11:28 o'clock a.m., the Chair

declared a recess, subject to the call of the Chair.

Upon reconvening at 11:31 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Akizaki, A. Chong, Fong, Hapai, Kishinami, Kondo, Kunimura, Morioka, Nakama, Poepoe, Suwa, Yamada and Yuen.

### ORDER OF THE DAY

#### DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 494 to 500) and concurrent resolution (H.C.R. No. 119) were disposed of as follows:

H.R. No. 494 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 495 was referred to the Committee on Water, Land Use and Development and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 496 was referred to the Committee on Public Employment and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 497 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 498 was referred to the Committee on Judiciary and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 499 was referred to the Committee on Judiciary and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 500 was referred to the Committee on Judiciary and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.C.R. No. 119 was referred to the Committee on Judiciary and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 858) informing the House that Standing Committee Report Nos. 780 to 857, House Resolution Nos. 490 to 500, House Concurrent Resolution No. 119, and Standing Committee Report Nos. 859 to 867, have been printed and distributed.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 859) approving the intent and purpose of S.B. No. 1254 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the Committee was adopted and S.B. No. 1254 passed Second Reading and was referred to the Committee on Finance.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 860) approving the intent and purpose of H.R. No. 457 and recommending its referral to the Committee on Labor and Employment.

Representative Lunasco moved to waive referral of H.R. No. 457 to the Committee on Labor and Employment, seconded by Representative Takamine and carried.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the report that H.R. No. 457 be referred to the Committee on Labor and Employment, H.R. No. 457 was adopted.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 861) approving the intent and purpose of S.C.R. No. 17 and recommending its referral to the Committee on Finance with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S.C.R. No. 17, as amended, was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 862) approving the intent and purpose of H.C.R. No. 24 and recommending its adoption.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.C.R. No. 24 was adopted.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 863) approving the intent and purpose of S.B. No. 995 and recommending its passage on Second Reading.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.B. No. 995 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 864) approving the intent and purpose of S.B. No. 883 and recommending its passage on Second Reading.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.B. No. 883 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 865) approving the intent and purpose of S.B. No. 1205

and recommending its passage on Second Reading.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.B. No. 1205 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 866) approving the intent and purpose of S.B. No. 1183 and recommending its passage on Second Reading.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.B. No. 1183 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 867) approving the intent and purpose of S.B. No. 1029 and recommending its passage on Second Reading.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the Committee was adopted and S.B. No. 1029 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

The Chair directed the Clerk to note that S.B. Nos. 995, 883, 1205, 1183 and 1029 had passed Second Reading not later than 11:35 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 501 to 503) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 501) extending congratulations to the 1973 Hawaiian Science and Engineering Fair winners was jointly offered by Representatives Kimura, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco,

Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Kimura, seconded by Representative Sakima and carried, H.R. No. 501 was adopted.

At this time, Representative Kimura introduced to the members of the House the winners of the Hawaiian Science and Engineering Fair as follows: Janice S. Kubota for her project, "The Role of Host Relationships in Philopthalmus Gralli," and Rodney Kawahara for his project, "Neuroendocrine Mechanisms Controlling the Circadian Oscillation of Locomotor Activity in the Ghost Crab, Ocypode Laevis (Dana)". Both are students at Aiea High School. They were accompanied by Dr. Wallace Mitchell of the Hawaiian Academy of Sciences and Dr. Arthur Reid, Associate Professor of Zoology at the University of Hawaii.

A resolution (H.R. No. 502) expressing gratitude and best wishes to Hawaii's prisoners of war was jointly offered by Representatives Beppu, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Yuen.

On motion by Representative Young, seconded by Representative Sakima and carried, H.R. No. 502 was adopted.

A resolution (H.R. No. 503) honoring Sergeant Isaako F. Malo on his return to the United States was jointly offered by Representatives Beppu, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong,

Yamada, Yap, Yim, Young and Yuen.

On motion by Representative Sakima, seconded by Representative Akizaki and carried, H.R. No. 503 was adopted.

At this time, Representative O'Connor introduced to the members of the House the men who served with honor, courage and unfailing valor in the Vietnam War, as follows: Spec. 5 Tom Kobashigawa, Spec. 6 Thomas Horio and Sgt. Isaako Malo.

The Chair then appointed Representatives Kimura, Fong and Hapai to escort Spec. 5 Kobashigawa, Spec. 6 Horio and Sgt. Malo to the rostrum whereupon each ex-prisoner of war expressed his thanks and gratitude for the adoption of the House Resolution and for the heartwarming welcome they have received.

At 11:53 o'clock a.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 10:00 o'clock p.m. tonight.

#### NIGHT SESSION

The House of Representatives reconvened at 10:20 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 868) approving the intent and purpose of H.R. No. 459 and recommending its referral to the Committee on Water, Land Use and Development with certain amendments.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the Committee was adopted and H.R. No. 459, as amended, was referred to the Committee on Water, Land Use and Development.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 869) approving the intent and purpose of H.R. No. 405 and recommending its referral to the Committee on Finance.

On motion by Representative King, seconded by Representative Roehrig and carried, the report of the Committee was

adopted and H.R. No. 405 was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 870) approving the intent and purpose of S.B. No. 5 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 870 on S.B. No. 5 was deferred until tomorrow, April 11, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 871) approving the intent and purpose of S.B. No. 1202 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 871 on S.B. No. 1202 was deferred until tomorrow, April 11, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 872) approving the intent and purpose of S.B. No. 1221 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 872 on S.B. No. 1221, as amended, was deferred until tomorrow, April 11, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 873) approving the intent and purpose of S.B. No. 228 and recommending its passage on Second Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.B. No. 228 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 874) approving the intent and purpose of S.B. No. 227 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.B. No. 227, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 875) approving the intent and purpose of S.B. No. 270 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, the report of the Committee was adopted and S.B. No. 270 passed Second Reading and was referred to the Committee on Finance.

Representative Suwa, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 876) approving the intent and purpose of S.B. No. 855 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 876 on S.B. No. 855, as amended, was deferred until tomorrow, April 11, 1973.

The Chair directed the Clerk to note that S.B. Nos. 228 and 227 had passed Second Reading not later than 10:21 o'clock p.m.

The Chair then directed the Clerk to note that printed copies of S.B. No. 5, SD 1; S.B. No. 1202, SD 1, S.B. No. 1221, SD 2, HD 2 and S.B. No. 855, SD 2, HD 2, had been made available to the members of the House at 11:53 o'clock a.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 877) approving the intent and purpose of S.B. No. 284 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

Representative O'Connor moved to waive referral of S.B. No. 284 to the Committee on Judiciary, seconded by Representative Kimura and carried.

Representative Lunasco moved that the report of the Committee be adopted and, notwithstanding the recommendation of the Committee that S.B. No. 284 pass Second Reading and be referred to the Committee on Judiciary, that S.B. No. 284 pass Second Reading and be placed on the Order of the Day for Third Reading tomorrow, April 11, 1973, seconded by Representative Takamine.

The motion was put by the Chair and carried and the report of the Committee was adopted and, notwithstanding the recommendation contained therein, S.B. No. 284 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 878) approving the intent and purpose of S.B. No. 1131 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

Representative O'Connor moved to waive referral of S.B. No. 1131 to the Committee on Judiciary, seconded by Representative Kimura and carried.

Representative Lunasco moved that the report of the Committee be adopted and, notwithstanding the recommendation of the Committee that S.B. No. 1131 pass Second Reading and be referred to the Committee on Judiciary, that S.B. No. 1131 pass Second Reading and be placed on the Order of the Day for Third Reading tomorrow, April 11, 1973, seconded by Representative Takamine.

The motion was put by the Chair and carried and the report of the Committee was adopted and, notwithstanding the recommendation contained therein, S.B. No. 1131 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 879) approving the intent and purpose of S.B. No. 1149 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

Representative O'Connor moved to

waive referral of S.B. No. 1149 to the Committee on Judiciary, seconded by Representative Kimura and carried.

Representative Lunasco moved that the report of the Committee be adopted and, notwithstanding the recommendation of the Committee that S.B. No. 1149 pass Second Reading and be referred to the Committee on Judiciary, that S.B. No. 1149 pass Second Reading and be placed on the Order of the Day for Third Reading tomorrow, April 11, 1973, seconded by Representative Takamine.

The motion was put by the Chair and carried and the report of the Committee was adopted and, notwithstanding the recommendation contained therein, S.B. No. 1149 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

The Chair directed the Clerk to note that S.B. Nos. 284, 1131 and 1149 had passed Second Reading not later than 10:21 o'clock p.m.

#### INTRODUCTION OF RESOLUTIONS

A concurrent resolution (H.C.R. No. 120) requesting a ten-day recess of the Seventh Legislature, Regular Session of 1973 was jointly offered by Representatives Wasai and Ajifu and was read by the Clerk.

Representative Wasai moved that H.C.R. No. 120 be adopted, seconded by Representative Ajifu.

Representative Wasai then rose and spoke for the adoption of the concurrent resolution.

The motion to adopt the concurrent resolution was put by the Chair and carried by a roll call vote of 49 ayes to 2 noes, with Representatives de la Cruz and Kato voting no.

By unanimous consent, the following resolution (H.R. No. 504) and concurrent resolution (H.C.R. No. 121) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, April 11, 1973:

A resolution (H.R. No. 504) requesting the Departments of Health, Social Services and Housing, Education,

and Land and Natural Resources to assist in providing the community with a program of outward bound training was offered by Representative King.

A concurrent resolution (H.C.R. No. 121) requesting the Federal Cost of Living Council (Price Commission) to immediately consider the appeals of the rulings by the Honolulu District Office, Internal Revenue Service, on the applications for hospital rate exceptions for the 11 County/State Hospitals in the State of Hawaii was jointly offered by Representatives Beppu, A. Chong, Cobb, de la Cruz, Kondo, Lee, Lunasco, Sakima, Takamine, Uechi, Ushijima, Wakatsuki, Wong, Yim and Young.

### SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried unanimously, the rules were suspended for the purpose of considering bills on Third and Final Readings on the basis of a modified consent calendar.

### THIRD READING

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

Third Reading of S.B. No. 176.

Representative Kawakami moved that S.B. No. 176, having been read throughout, pass Third Reading, seconded by Representative A. Chong.

Representative Medina then rose and spoke for the passage of the bill, as follows:

"Mr. Speaker, for many years now many citizens of the State of Hawaii have been supported by sugar and pineapple. I believe we, as legislators, have taken a marvelous step in the right direction by providing tax relief for a highly overtaxed industry—overtaxed because of high production costs, overtaxed because of the shipping strike, overtaxed because our environmental requirements are quite stringent. These companies, as are other companies, are here to make a fair and decent profit. These companies have employed thousands and thousands of workers through the years and have paid

millions of dollars to people through the years and have paid millions of dollars to people who have used the money to finance their families, their educations, their Hawaiian life styles.

This bill does two things:

1. It helps to maintain the viability of two struggling industries; and
2. It provides incentives for our agriculturalists to stay in business and keep Hawaii thriving with the diversified economy.

I would urge every member of this House to vote for this measure."

Representative Kawakami then spoke in favor of Senate Bill No. 176, as follows:

"Mr. Speaker, members of this House have been trying to find solutions to Hawaii's economic and social problems. One aspect of the problem is agriculture and whether or not agriculture will be a healthy and vital part of our economy.

This bill, a modification of the agricultural dedication and taxation laws, is an attempt to insure the continuation of agriculture. Existing laws allow agriculture to be taxed on its agricultural use. Unfortunately, this does not always occur. There have been moves recently to tax agricultural land on its market value for other uses. It is true that land could be used for hotels or houses and it will be worth much more to the owner. But if the owner is willing to stay in agriculture, we ask that he not be punished for doing so by being taxed on the value his land would have if it were used for hotels or houses. We want to avoid tragic cases in which agricultural lands are taxed out of its agricultural use.

What this bill before you really does is specify a legislative mandate that agricultural lands be taxed as its use in agriculture. We have put in safeguards to prevent abuses of the agricultural tax and to discourage speculation. The safeguards are these:

1. If the landowner acquires urban districting for his land, he is subject to ten years of back taxes plus a ten percent per annum penalty for those ten years. Furthermore, if the change occurs within

5 years after this bill becomes law, the amount of the back taxes and penalties will be double. By back taxes, we mean the difference in amount the landowner actually paid in taxes for agricultural use and what he would have paid if the land had been taxed at its market value for other uses. This bill, in addition, attempts to make the agricultural dedication law more effective.

Statistics from the tax department indicate that the dedication law passed in 1965 has not been widely used. As you know, dedication does not only mean a lower tax rate—it simply means that a man with land in any land use district agrees to use that land for agriculture for a specified time and during that time, the land is taxed on its agricultural use. The present law specified 10 years as a minimum period of dedication and has a 5% per year penalty plus back taxes for those who fail to observe the dedication provisions.

This bill adds some incentives for dedication while increasing the penalties for those who fail to observe that dedication. The incentives are these: The landowner will be able to dedicate his land for a minimum of 10 or 20 years; however, he would be allowed to cancel that dedication with one year's notice any time during the 9th or 19th year. The present law requires 5 years advance notice for cancellation. The other incentive is a 50% tax break for those willing to dedicate their lands for longer than a 20 year term.

As I said earlier, this bill has incentives and to insure that the dedication is not abused, it increases the penalty. The present penalty for those who fail to observe the dedication is 5% per year. This bill raises that penalty to 10% per year. Thus, the farmer who fails to observe the dedication would be liable to a 10% penalty plus the back taxes for the initial term of dedication—either 10 or 20 years.

Members of this House, this bill is necessary for the health and growth of agriculture in Hawaii. It will strengthen our economy and insure some open spaces in these islands.

I urge all members of this Honorable Body to vote in favor of this bill."

The motion was put by the Chair and S.B. No. 176 passed Third Reading by a vote of 49 ayes, with Representatives Lee and Wakatsuki being excused.

Third Reading of S.B. No. 1153.

On motion by Representative Sakima, seconded by Representative Young, S.B. No. 1153 passed Third Reading by a vote of 49 ayes, with Representatives Lee and Wakatsuki being excused.

Third Reading of S.B. No. 1308.

On motion by Representative Sakima, seconded by Representative Young, S.B. No. 1308 passed Third Reading by a vote of 49 ayes, with Representatives Lee and Wakatsuki being excused.

Third Reading of S.B. No. 377.

On motion by Representative King, seconded by Representative Roehrig, S.B. No. 377 passed Third Reading by a vote of 49 ayes, with Representatives Lee and Wakatsuki being excused.

Third Reading of S.B. No. 1007.

On motion by Representative Young, seconded by Representative Yuen, S.B. No. 1007 passed Third Reading by a vote of 49 ayes, with Representatives Lee and Wakatsuki being excused.

Third Reading of S.B. No. 394.

On motion by Representative A. Chong, seconded by Representative Kimura and carried, S.B. No. 394 was recommitted to the Committee on Public Employment.

The Chair directed the Clerk to note that S.B. Nos. 176, 1153, 1308, 377 and 1007 had passed Third Reading not earlier than 10:25 o'clock p.m.

## UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 778 on H.B. No. 1831 which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and H.B. No. 1831, having been read

throughout, passed Third Reading by a roll call vote of 26 ayes to 25 noes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kato, King, Leopold, Lunasco, Medeiros, Medina, Oda, Poepoe, Saiki, Soares, Uechi, Wong, Yamada and Yim voting no.

The Chair directed the Clerk to note that H.B. No. 1831 had passed Third Reading at 10:34 o'clock p.m.

At 10:35 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 10:43 o'clock p.m., the House of Representatives reconvened.

### RECONSIDERATION OF ACTION TAKEN BY THE HOUSE

Representative O'Connor moved that the House reconsider its action taken on April 9, 1973 in agreeing to the amendments proposed by the Senate to H.B. No. 172 and passing H.B. No. 172, as amended, on Final Reading, seconded by Representative Kimura and carried.

Representative O'Connor moved to disagree with the amendments proposed by the Senate to H.B. No. 172, seconded by Representative Kimura and carried.

By unanimous consent, naming of the conferees on the part of the House was deferred and H.B. No. 172, as amended, was placed on the Clerk's desk.

### THIRD READING

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

Third Reading of S.B. No. 1206.

On motion by Representative King, seconded by Representative Roehrig, S. B. No. 1206 passed Third Reading by a vote of 49 ayes to 1 no, with Representative Kunimura voting no and Representative Aduja being excused.

Third Reading of S.B. No. 822.

On motion by Representative O'Connor, seconded by Representative

Kimura, S.B. No. 822 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 569.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 569 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 931.

By unanimous consent, consideration of S.B. No. 931 on Third Reading was deferred until the end of the calendar.

Third Reading of S.B. No. 96.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 96 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 192.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 192 passed Third Reading by a vote of 48 ayes, with Representatives Aduja, Lee and Wakatsuki being excused.

Third Reading of S.B. No. 157.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 157 passed Third Reading by a vote of 48 ayes, with Representatives Aduja, Lee and Wakatsuki being excused.

Third Reading of S.B. No. 1008.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 1008 passed Third Reading by a vote of 48 ayes, with Representatives Aduja, Lee and Wakatsuki being excused.

Third Reading of S.B. No. 56.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 56 passed Third Reading by a roll call vote of 40 ayes to 10 noes, with Representatives Ajifu, Carroll, W. Chong, Cobb, J. Garcia, Medeiros, Oda, Poepoe, Saiki and Soares voting no and Representative Aduja being excused.

Third Reading of S.B. No. 1184.

By unanimous consent, consideration of S.B. No. 1184 on Third Reading was deferred until tomorrow, April 11, 1973.

Third Reading of S.B. No. 908.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 908 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 1024.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 1024 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 194.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 194 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 910.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 910 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 993.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 993 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 1100.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 1100 passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Amaral and Hapai voting no and Representative Aduja being excused.

Third Reading of S.B. No. 1284.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 1284 passed Third Reading by a vote of 50 ayes, with

Representative Aduja being excused.

Third Reading of S.B. No. 1274.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 1274 passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Ajifu and Medina voting no and Representative Aduja being excused.

Third Reading of S.B. No. 1386.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 1386 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 37.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 37 passed Third Reading by a roll call vote of 41 ayes to 9 noes, with Representatives Ajifu, Amaral, Carroll, W. Chong, Cobb, J. Garcia, Medeiros, Poepoe and Soares voting no and Representative Aduja being excused.

Third Reading of S.B. No. 873.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 873 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 1228.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 1228 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 402.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 402 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 929.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 929 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

## Third Reading of S.B. No. 386.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 386 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

At 11:03 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 11:04 o'clock p.m., the House of Representatives reconvened.

## Third Reading of S.B. No. 231.

Representative Lee moved that S.B. No. 231, having been read throughout, pass Third Reading, seconded by Representative A. Chong.

Representative J. Garcia then rose and spoke against the bill, as follows:

"Mr. Speaker, while the title prohibits discrimination in public employment due to sex, age, color or ancestry, I call the attention of the members of this Honorable Body to Page 5 and this is the crux of the objection by the Minority members.

Section 2 of Page 5 takes permanent employees currently not in civil service who are employed by the State to operate and maintain its office better known as the Hawaii International Service Agency Program in the Department of Planning and Economic Development and put them on civil service status. This, we believe, is not right because these employees of HISAP will be put in civil service without the necessity of examinations. This, Mr. Speaker, is something which should be taken out of this measure and should not be included under a measure of this import.

On that premise, I ask the members of this Honorable Body to vote down S.B. No. 231."

The motion was put by the Chair and S.B. No. 231 passed Third Reading by a roll call vote of 29 ayes to 21 noes, with Representatives Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kato, Lunasco, Medeiros, Oda, Poepoe, Saiki, Sakima, Soares, Uechi, Wasai and Yim voting no

and Representative Aduja being excused.

## Third Reading of S.B. No. 1103.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 1103 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

## Third Reading of S.B. No. 722.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 722 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

## Third Reading of S.B. No. 109.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 109 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

## Third Reading of S.B. No. 1017.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 1017 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

## Third Reading of S.B. No. 1382.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 1382 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

## Third Reading of S.B. No. 622.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 622 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

## Third Reading of S.B. No. 87.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 87 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

## Third Reading of S.B. No. 1155.

On motion by Representative O'Connor, seconded by Representative

Kimura, S.B. No. 1155 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 920.

By unanimous consent, consideration of S.B. No. 920 on Third Reading was deferred until the end of the calendar.

Third Reading of S.B. No. 178.

On motion by Representative Kawakami, seconded by Representative A. Chong, S.B. No. 178 passed Third Reading by a vote of 50 ayes, with Representative Aduja being excused.

Third Reading of S.B. No. 744.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 744 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 137.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 137 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 316.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 316 passed Third Reading by a vote of 50 ayes to 1 no, with Representative Aduja voting no.

Third Reading of S.B. No. 660.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 660 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 1178.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 1178 passed Third Reading by a vote of 50 ayes to 1 no, with Representative Aduja voting no.

Third Reading of S.B. No. 903.

By unanimous consent, consideration of S.B. No. 903 on Third Reading was deferred until the end of the calendar.

Third Reading of S.B. No. 116.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 116 passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 1206, 822, 569, 96, 192, 157, 1008, 56, 908, 1024, 194, 910, 993, 1100, 1284, 1274, 1386, 37, 873, 1228, 402, 929, 386, 231, 1103, 722, 109, 1017, 1382, 622, 87, 1155, 178, 744, 137, 316, 660, 1178 and 116 had passed Third Reading not earlier than 10:45 o'clock p.m.

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

At 11:37 o'clock p.m., the House of Representatives reconvened.

Third Reading of S.B. No. 155.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 155 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 111.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 111 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 1018.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 1018 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 1014.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 1014 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 160.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 160 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 122.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 122 passed Third

Reading by a vote of 51 ayes.

Third Reading of S.B. No. 129.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 129 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 415.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 415 passed Third Reading by a vote of 50 ayes to 1 no, with Representative Ajifu voting no.

Third Reading of S.B. No. 820.

On motion by Representative Roehrig, seconded by Representative Medina, S.B. No. 820 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 698.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 698 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 10.

On motion by Representative Young, seconded by Representative Yuen and carried, S.B. No. 10 was recommitted to the Committee on Housing.

Third Reading of S.B. No. 1312.

On motion by Representative R. Garcia, seconded by Representative Sakima, S.B. No. 1312 passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 155, 111, 1018, 1014, 160, 122, 129, 415, 820, 698 and 1312 had passed Third Reading not earlier than 11:38 o'clock p.m.

#### UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 799 on S.B. No. 51, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.B. No. 51, as amended, having been read throughout, passed

Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 819 on S.B. No. 1076, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, Stand. Com. Rep. No. 819 and S.B. No. 1076, SD 2, HD 1, were recommitted to the Committee on Finance.

Consideration of Stand. Com. Rep. No. 842 on S.B. No. 1152, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S.B. No. 1152, as amended, having been read throughout, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 843 on S.B. No. 823 which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S.B. No. 823, having been read throughout, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 848 on S.B. No. 14, as amended, which had been deferred to this day.

Representative O'Connor moved that the report of the Committee be adopted and S.B. No. 14, as amended, having been read throughout, pass Third Reading, seconded by Representative Kimura.

Representative R. Garcia then rose and spoke against the bill, as follows:

"The matter of prepaid health is a major one before this legislature. In view of the increasing health needs, rising health costs and limited services, the concept of prepaid health care is an extremely desirable one for the people. However, this bill, as amended by the House Judiciary Committee, is a clumsy and poor bill which distorts the clear, more effective prepaid health plan suggested in House Draft 1 by the Committee on Labor. The idea of this bill is to provide a program of mandatory

minimum prepaid health care. It would cover employees in private employment working at least 20 hours a week for any one employer and earning at least \$140 a month. A main area of concern is how to equitably distribute the cost of the premium benefit between the employer and the employee. In most prepaid health care plans presently existing, the employer contributes at least one half of the cost with the employees contributing the balance. This distribution was incorporated in House Draft 1 of this bill when it was referred out of the House Labor Committee. However, concern was expressed about the ability of workers in low income brackets to pay their share of the premium cost. Interestingly enough, the study done by the Legislative Reference Bureau in 1971 on prepaid health care recommended that a limit be placed on the percentage of wages which an employee should be required to pay for coverage. This report decided that 1.5% of wages could be afforded by employees even in the lower income bracket. This limit suggested by the Reference Bureau study was included in the bill when it was referred out of the Labor Committee. Again, it was changed.

Your Judiciary Committee has devised a new distribution of premium cost. The employer under this proposal would be required to contribute only \$60 per year with the employee liable for the balance. The average cost of a plan called for by this bill is about \$160 or \$180 per year. Thus the employer is now required to contribute only 1/3 of the premium cost rather than one half as required by most plans presently in existence and as recommended by the LRB study. We seem to be more concerned again with the business of businesses rather than the business of the public.

Another example is that the employee would be liable for 2/3 of the premium cost or \$120 a year. The very nature of this cost is regressive because a person earning low wages would pay higher income for premium costs whereas the person for higher income would pay a smaller percentage. For example, a person working 20 hours per week at the minimum wage would be earning \$1,680 per year. If he were to pay \$120 per year for the premium cost, he would be paying 6½% of his wages for coverage—over four times the percentage recommended by the study. This 6½% would also be

over twice the national average expenditure on health care which is 3% of wages. On the other hand, a person working 20 hours per week but making \$5 per hour would be making \$5,200 per year but he would also be paying \$120 per year for coverage but this cost would only amount to 2% of his wages. This would be 4% less than what our poor man would be paying.

Section 23 of this bill which was added on by the Judiciary Committee relates to uniform group rate. It requires the prepaid health care plan contractors to provide coverage to all employers seeking coverage at a uniform or community rate. This section would destroy the basic experience rating system presently used by most health care providers. What experience rating does is assign risks to different groups of subscribers and the cost of the premium is based on the amount of the risk involved. Persons who are greater risks would pay more than persons who are lesser risks. Enforcing a uniform rate would require everyone to pay one rate as suggested by the Judiciary Committee. Persons who are lesser risks would be subsidizing the persons who are greater risks. It would also require that the cost of coverage for a family of three to be the same as a family of eight. To wipe out experience rating would be inequitable for many employees.

Another point, Mr. Speaker, is that there are no funds for administration in this bill. Although much of the machinery for administration already exist within the Labor and Industrial Relations Department due to their handling of TDI, funds are still needed to hire permanent employees and for other initial costs.

We had a good bill drafted and passed out of our Committee on Labor and Employment. This bill would have far exceeded what the public needs—an equitable health plan guarantee.

I urge all my colleagues to vote against this measure."

The motion was put by the Chair and carried and the report of the Committee was adopted and S.B. No. 14, as amended, passed Third Reading by a roll call vote of 35 ayes to 16 noes, with Representatives Aduja, Ajifu, Amaral,

Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Medeiros, Oda, Poepoe, Saiki, Soares, Wong and Yim voting no.

Consideration of Stand. Com. Rep. No. 850 on S.B. No. 140 which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S.B. No. 140, having been read throughout, passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Aduja, Ajifu, W. Chong and Cobb voting no.

The Chair directed the Clerk to note that S.B. Nos. 51, 1152, 823, 14 and 140 had passed Third Reading not earlier than 11:38 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Lunasco, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 880) approving the intent and purpose of S.B. No. 1043 and recommending its passage on Second Reading.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and S.B. No. 1043 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 881) approving the intent and purpose of S.B. No. 34 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and S.B. No. 34, as amended, passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 882) approving the intent and purpose of S.B. No. 394 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 882 on S.B. No. 394, as amended, was deferred until tomorrow, April 11, 1973.

The Chair directed the Clerk to note that S.B. No. 1043 and 34 had passed Second Reading not later than 11:40 o'clock p.m.

The Chair then directed the Clerk to note that printed copies of S.B. No. 394, HD 1, were made available to the members of the House at 11:40 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

#### DEFERRED MATTERS

Consideration of S.B. No. 931 on Third Reading which had been deferred to this time.

On motion by Representative Lee, seconded by Representative A. Chong, S.B. No. 931, having been read throughout, passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives R. Garcia, Kato, Lunasco and Uechi voting no.

Consideration of S.B. No. 920 on Third Reading which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Cobb, S.B. No. 920, having been read throughout, passed Third Reading by a vote of 51 ayes.

Consideration of S.B. No. 903 on Third Reading which had been deferred to this time.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, S.B. No. 903 was recommitted to the Committee on Judiciary.

#### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 22, as amended by the Senate, was taken from the Clerk's desk.

Representative O'Connor moved that the House agree to the amendments

proposed by the Senate to H.B. No. 22, and that H.B. No. 22, as amended, having been read throughout, pass Final Reading, seconded by Representative Kimura.

Representative O'Connor then explained that the changes reflected in this bill by the Senate are primarily the changes in media spending and a change in contribution reporting from \$250 to \$100.

The motion was put by the Chair and carried, and H.B. No. 22, as amended, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 22 had passed Final Reading at 11:55 o'clock p.m.

By unanimous consent, H.B. No. 809, as amended by the Senate, was taken from the Clerk's desk.

Representative O'Connor moved that the House disagree with the amendments proposed by the Senate to H.B. No. 809, seconded by Representative Kimura and carried.

By unanimous consent, naming of the conferees on the part of the House was deferred.

By unanimous consent, H.B. No. 216, as amended by the Senate, was taken from the Clerk's desk.

Representative Roehrig moved that the House agree to the amendments proposed by the Senate to H.B. No. 216, and that H.B. No. 216, as amended, having been read throughout, pass Final Reading, seconded by Representative Medina.

Representative Roehrig then explained the amendments made by the Senate.

The motion was put by the Chair and carried, and H.B. No. 216, as amended, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 216 had passed Final Reading at 11:57 o'clock p.m.

### RECONSIDERATION OF ACTION TAKEN BY THE HOUSE

Representative Kimura moved that the House reconsider its action taken earlier in adopting Stand. Com. Rep. No. 875 on S.B. No. 270 and passing said bill on Second Reading and referring it to the Committee on Finance, seconded by Representative Kimura and carried.

Representative Suwa then moved to waive referral of S.B. No. 270 to the Committee on Finance, seconded by Representative Akizaki and carried.

On motion by Representative Kimura, seconded by Representative Kishinami and carried, Stand. Com. Rep. No. 875 was adopted and, notwithstanding the recommendation contained therein, S.B. No. 270 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 11, 1973.

The Chair directed the Clerk to note that S.B. No. 270 had passed Second Reading at 11:58 o'clock p.m.

### APPOINTMENT OF CONFERENCE COMMITTEE

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1227 and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Akizaki and Poepoe were appointed as Managers on the part of the House at such conference.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 244 to 275) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 244) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 166, and the request for a conference on the subject matter of said amendments, Senators Ushijima, Chairman; Kawasaki and Mills had been appointed as Managers on the

part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 245) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1283 and had requested a conference on the subject matter thereof, in consequence of which Senators Yoshinaga, Chairman; Yamasaki, Toyofuku, Henderson and Anderson had been appointed as Managers on the part of the Senate for the consideration of said amendments, was placed on file.

In accordance therewith, Representatives Suwa, Chairman; Akizaki, A. Chong, Kishinami, Kondo, Kunimura, Morioka, Nakama and Yuen were appointed as Managers on the part of the House for the consideration of said amendments.

A communication from the Senate (Sen. Com. No. 246) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1295 and had requested a conference on the subject matter thereof, in consequence of which Senators Yoshinaga, Chairman; Yamasaki, Toyofuku, Henderson and Anderson had been appointed as Managers on the part of the Senate for the consideration of said amendments, was placed on file.

In accordance therewith, Representatives Suwa, Chairman; Akizaki, A. Chong, Kishinami, Kondo, Kunimura, Morioka, Nakama, Yuen, Fong, Hapai and Poepoe were appointed as Managers on the part of the House for the consideration of said amendments.

A communication from the Senate (Sen. Com. No. 247) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1227 and had requested a conference on the subject matter thereof, in consequence of which Senators Yoshinaga, Chairman; Yamasaki, Toyofuku, Henderson and Anderson had been appointed as Managers on the part of the Senate for the consideration of said amendments, was placed on file.

A communication from the Senate (Sen. Com. No. 248) informing the House that the amendments proposed by the House to Senate Concurrent Resolution

No. 41 were agreed to by the Senate and said concurrent resolution, as thus amended, was Finally adopted by the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 249) returning House Concurrent Resolution No. 61, which was adopted by the Senate on April 10, 1973 in an amended form, was placed on file.

By unanimous consent, H.C.R. No. 61, as amended, was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 250) returning House Bill No. 311 which passed Third Reading in the Senate on April 10, 1973 in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 251) returning House Bill No. 1089 which passed Third Reading in the Senate on April 10, 1973 in an amended form, was placed on file.

By unanimous consent, H.B. Nos. 311 and 1089, as amended by the Senate, were placed on the Clerk's desk.

The Chair directed the Clerk to note that printed copies of H.B. No. 311, HD 2, SD 1 and H.B. No. 1089, HD 1, SD 1, were made available to the members of the House at 1:00 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

A communication from the Senate (Sen. Com. No. 252) returning House Bill No. 115, HD 2 which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 253) returning House Bill No. 121 which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 254) returning House Bill No. 127 which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 255) returning House Bill No. 160 which passed Third Reading in

the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 256) returning House Bill No. 161, HD 1, which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 257) returning House Bill No. 187 which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 258) returning House Bill No. 316, HD 1, which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 259) returning House Bill No. 320 which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 260) returning House Bill No. 323, HD 1, which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 261) returning House Bill No. 327, HD 1, which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 262) returning House Bill No. 329, HD 1, which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 263) returning House Bill No. 338 which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 264) returning House Bill No. 482 which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 265) returning House Bill No. 862, HD 1, which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 266) returning House Bill No. 990, HD 1, which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 267) returning House Bill No. 1091 which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 268) returning House Bill No. 1093 which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 269) returning House Bill No. 1154, HD 1, which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 270) returning House Bill No. 1156, HD 2, which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 271) returning House Bill No. 1333 which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 272) returning House Bill No. 1337, HD 1, which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 273) returning House Bill No. 1521 which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 274) returning House Bill No. 2021, HD 1, which passed Third Reading in the Senate on April 10, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 275) transmitting Senate Concurrent Resolution No. 4 requesting the government of the United States and the State Department of Health to review and improve the enforcement of tuberculosis prevention among migrants and immigrants to the State which was

adopted by the Senate on April 10, 1973,  
was placed on file.

By unanimous consent, action on  
S.C.R. No. 4 was deferred until  
tomorrow, April 11, 1973.

At 11:59 o'clock p.m., on motion by  
Representative Ushijima, seconded by  
Representative J. Garcia and carried, the  
House of Representatives adjourned to  
11:00 o'clock a.m. tomorrow, April 11,  
1973.

## 59TH DAY

Wednesday, April 11, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend Edith Wolfe of the Hawaii Conference United Church of Christ.

Roll call of the members of the House of Representatives showed that all members were present.

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

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Eighth Day was approved.

### ORDER OF THE DAY

#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 883) informing the House that House Resolution Nos. 501 to 504, House Concurrent Resolution Nos. 120 and 121, Standing Committee Report Nos. 868 to 882, and Standing Committee Report Nos. 884 to 889 had been printed and distributed.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted.

Representative Roehrig, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 884) approving the intent and purpose of H.R. No. 349 and recommending its adoption with certain amendments.

On motion by Representative Roehrig, seconded by Representative Medina and carried, the report of the Committee was adopted and H.R. No. 349, as amended, entitled: "House Resolution requesting the Department of Planning and Economic Development, Department of Agriculture, Department of Land and

Natural Resources, and the Counties of Kauai, Maui and Hawaii to provide greater support for the taro industry" was adopted.

Representative Roehrig, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 885) approving the intent and purpose of H.R. No. 447 and recommending its adoption.

On motion by Representative Roehrig, seconded by Representative Medina and carried, the report of the Committee was adopted and H.R. No. 447 was adopted.

Representative Roehrig, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 886) approving the intent and purpose of H.R. No. 489 and recommending its adoption.

On motion by Representative Roehrig, seconded by Representative Medina and carried, the report of the Committee was adopted and H.R. No. 489 was adopted.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 887) approving the intent and purpose of H.R. No. 353 and recommending its adoption with certain amendments.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H.R. No. 353, as amended, was adopted.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 888) approving the intent and purpose of H.R. No. 146 and recommending its adoption with certain amendments.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.R. No. 146, as amended, was adopted.

Representative Kimura, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 889) approving the intent and purpose of S.C.R. No. 13 and recommending its adoption.

On motion by Representative Kimura, seconded by Representative Kishinami

and carried, the report of the Committee was adopted and S.C.R. No. 13 was adopted.

#### **DISPOSITION OF MATTER PLACED ON CLERK'S DESK**

By unanimous consent, S.C.R. No. 61 was taken from the Clerk's desk and read by the Clerk.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, S.C.R. No. 61 was adopted.

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

At 12:25 o'clock p.m., the House of Representatives reconvened.

#### **SUSPENSION OF RULES**

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

#### **THIRD READING**

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

Third Reading of S.B. No. 995.

On motion by Representative Wong, seconded by Representative Sakima, S.B. No. 995 passed Third Reading by a vote of 50 ayes, with Representative Poepoe being excused.

Third Reading of S.B. No. 883.

On motion by Representative Wong, seconded by Representative Sakima, S.B. No. 883 passed Third Reading by a vote of 50 ayes, with Representative Poepoe being excused.

Third Reading of S.B. No. 1205.

Representative Wong moved that S.B. No. 1205, having been read throughout, pass Third Reading, seconded by Representative Sakima.

Representative Wong rose and spoke in favor of the bill as follows:

"This Honorable Body has long been aware of the evidence indicating how important the early years of life are to a child's development and of the crying need for programs and services to provide for the total development needs of young children and their families. This is a matter which should have seen legislative direction years ago. At last we are addressing ourselves to that problem.

I am very happy to observe that, in spite of the conflict and the confusion of this session, in the interest of the children, party and factional differences have been overlooked as my colleagues unite in support of this measure.

S.B. No. 1205, SD 2 proposes a systematic community-wide approach to planning and coordination of children service delivery. It will provide a mechanism to cultivate a broader base of participation and to maximize the utilization of existing public and private resources. It is logical, meaningful and economically feasible and an initial step toward the development of a better service for children. I wish to urge my colleagues in this Body to show interest in children and to pass this particular measure."

The motion was put by the Chair and S.B. No. 1205 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 1183.

On motion by Representative Wong, seconded by Representative Sakima, S.B. No. 1183 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 1029.

On motion by Representative Kimura, seconded by Representative Kishinami, S.B. No. 1029 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 228.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 228 passed Third Reading by a vote of 50 ayes to 1 no, with Representative Ajifu voting no.

Third Reading of S.B. No. 227.

On motion by Representative Suwa, seconded by Representative Akizaki, S.B. No. 227 passed Third Reading by a vote of 51 ayes.

Third Reading of S.B. No. 270.

On motion by Representative Kimura, seconded by Representative Kishinami, S.B. No. 270 passed Third Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that S.B. Nos. 995, 883, 1205, 1183, 1029, 228, 227 and 270 had passed Third Reading no earlier than 12:30 o'clock p.m.

#### UNFINISHED BUSINESS

Consideration of S.B. No. 1184, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, S.B. No. 1184, as amended, was recommitted to the Committee on Finance.

Consideration of Stand. Com. Rep. No. 870 on S.B. No. 5, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.B. No. 5, having been read throughout, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 871 on S.B. No. 1202, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.B. No. 1202, having been read throughout, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 872 on S.B. No. 1221, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.B. No. 1221, as amended,

having been read throughout, passed Third Reading by a vote of 51 ayes.

Consideration of Stand. Com. Rep. No. 876 on S.B. No. 855, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee and S.B. No. 855, as amended, were recommitted to the Committee on Finance.

The Chair here directed the Clerk to note that S.B. Nos. 1202 and 1221 had passed Third Reading no earlier than 12:30 o'clock p.m.

#### DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 615, as amended by the Senate, was taken from the Clerk's desk.

Representative Suwa moved to agree to the amendments proposed by the Senate to H.B. No. 615, seconded by Representative Akizaki and carried.

On motion by Representative Suwa, seconded by Representative Akizaki, H.B. No. 615, as amended, passed Final Reading by a vote of 51 ayes.

By unanimous consent, H.B. No. 124, HD 1, as amended by the Senate, was taken from the Clerk's desk.

Representative Lee moved to agree to the amendments proposed by the Senate to H.B. No. 124, seconded by Representative A. Chong and carried.

On motion by Representative Lee, seconded by Representative A. Chong, H.B. No. 124, as amended, passed Final Reading by a vote of 51 ayes.

By unanimous consent, H.B. No. 995, as amended by the Senate, was taken from the Clerk's desk.

Representative O'Connor moved to agree to the amendments proposed by the Senate to H.B. No. 995, seconded by Representative Kimura and carried.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 995, as amended,

passed Final Reading by a vote of 51 ayes.

By unanimous consent, H.B. No. 1169, as amended by the Senate, was taken from the Clerk's desk.

Representative O'Connor moved to agree to the amendments proposed by the Senate to H.B. No. 1169, seconded by Representative Kimura and carried.

On motion by Representative O'Connor, seconded by Representative Kimura, H.B. No. 1169, as amended, passed Final Reading by a vote of 51 ayes.

By unanimous consent, H.B. No. 157, as amended by the Senate, was taken from the Clerk's desk.

Representative Wong moved to agree to the amendments proposed by the Senate to H.B. No. 157, seconded by Representative Sakima and carried.

On motion by Representative Wong, seconded by Representative Sakima, H.B. No. 157, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that S.B. No. 615, H.B. No. 127, H.B. No. 995, H.B. No. 1169 and H.B. No. 157 had passed Final Reading no earlier than 1:00 o'clock p.m.

### INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 504 to 507) and concurrent resolutions (H.C.R. Nos. 122 and 123) were referred to the Committee on Legislative Management and further action was deferred until later on the calendar:

A resolution (H.R. No. 504) requesting the Departments of Health, Social Services and Housing, Education, and Land and Natural Resources to assist in providing the community with a program of outward bound training was offered by Representative King.

A resolution (H.R. No. 505) requesting the Speaker of the House of Representatives to appoint an interim committee to study the relationship between the urban renewal law and the present housing situation in the State was

jointly offered by Representatives Iha, Akizaki, A. Chong, de la Cruz, Kihano, King, Kishinami, Lunasco, Suwa, Takamine, Ushijima, Wakatsuki, Wasai, Wedemeyer, Young and Yuen.

A resolution (H.R. No. 506) requesting a comprehensive study of premiums, benefits, administrative expenses, and profits in workmen's compensation and temporary disability insurance was jointly offered by Representatives Lunasco, Akizaki, A. Chong, Cobb, de la Cruz, Kato, Kawakami, Kihano, Kondo, Kunimura, Medina, Nakama, Suwa, Takamine, Uechi, Wasai, Wedemeyer, Yap, Yim, Young and Yuen.

A resolution (H.R. No. 507) urging Hawaii's Congressional Delegation to take action toward restoration of federal funds for the University of Hawaii School of Public Health was jointly offered by Representatives Saiki, Aduja, Aki, Amaral, Carroll, W. Chong, Fong, Hapai, Leopold, Medeiros, Oda, Poepoe, Soares and Yamada.

A concurrent resolution (H.C.R. No. 122) urging Hawaii's Congressional Delegation to take action toward restoration of federal funds for the University of Hawaii School of Public Health was jointly offered by Representatives Saiki, Aduja, Aki, Amaral, Carroll, W. Chong, Fong, Hapai, Leopold, Medeiros, Oda, Poepoe, Soares and Yamada.

A concurrent resolution (H.C.R. No. 123) requesting the establishment of a joint interim committee for the study of correctional reformation was jointly offered by Representatives O'Connor, Aduja, Carroll, Fong, Kawakami, Kihano, Kimura, King, Lee, Medeiros, Medina, Roehrig, Sakima, Yamada and Yap.

At 1:42 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 6:00 o'clock p.m. this evening.

### EVENING SESSION

The House of Representatives reconvened at 10:58 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:

Third Reading of S.B. No. 284.

On motion by Representative Lunasco, seconded by Representative Takamine, S.B. No. 284 passed Third Reading by a vote of 46 ayes to 1 no, with Representative Wasai voting no and Representatives Kato, Kunimura, Uechi and Yamada being excused.

Third Reading of S.B. No. 1131.

On motion by Representative Lunasco, seconded by Representative Takamine, S.B. No. 1131 passed Third Reading by a vote of 47 ayes, with Representatives Kato, Kunimura, Uechi and Yamada being excused.

Third Reading of S.B. No. 1149.

On motion by Representative Lunasco, seconded by Representative Takamine, S.B. No. 1149 passed Third Reading by a vote of 47 ayes, with Representatives Kato, Kunimura, Uechi and Yamada being excused.

The Chair here directed the Clerk to note that S.B. Nos. 284, 1131 and 1149 had passed Third Reading at 11:00 o'clock p.m.

### STANDING COMMITTEE REPORTS

Representative Lunasco, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 890) approving the intent and purpose of S.B. No. 980 and recommending its passage on Second Reading and its referral to the Committee on Judiciary.

Representative O'Connor moved that referral of S.B. No. 980 to the Committee on Judiciary be waived, seconded by Representative Kimura and carried.

On motion by Representative Lunasco, seconded by Representative Takamine and carried, the report of the Committee was adopted and, notwithstanding the recommendation contained therein, S.B. No. 980 passed Second Reading and was placed on the

Order of the Day for Third Reading tomorrow, April 12, 1973.

The Chair here directed the Clerk to note that printed copies of S.B. No. 980 had been made available to the members of the House at 5:30 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Lee, for the Committee on Public Employment, presented a report (Stand. Com. Rep. No. 891) approving the intent and purpose of H.R. No. 496 and recommending its referral to the Committee on Finance.

Representative Suwa moved that referral of H.R. No. 496 to the Committee on Finance be waived, seconded by Representative Akizaki and carried.

On motion by Representative Lee, seconded by Representative A. Chong and carried, the report of the Committee was adopted and, notwithstanding the recommendation contained therein, H.R. No. 496 was adopted.

Representative Takamine, for the Select Committee of Hawaii Representatives, presented a report (Stand. Com. Rep. No. 892) approving the intent and purpose of H.R. No. 471 and recommending its referral to the Committee on Finance.

Representative Suwa moved that referral of H.R. No. 471 to the Committee on Finance be waived, seconded by Representative Akizaki and carried.

On motion by Representative Takamine, seconded by Representative Suwa and carried, the report of the Committee was adopted and, notwithstanding the recommendation contained therein, H.R. No. 471 was adopted.

Representative Roehrig, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 893) approving the intent and purpose of H.R. No. 15 and recommending its adoption with certain amendments.

On motion by Representative Roehrig, seconded by Representative Medina and carried, the report of the Committee was

adopted and H.R. No. 15, as amended, was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 894) approving the intent and purpose of H.C.R. No. 97, HD 1 and recommending its adoption.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H.C.R. No. 97 was adopted.

Representative Kawakami, for the majority of the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 895) approving the intent and purpose of S.B. No. 1335, SD 1 and recommending its passage on Second Reading with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee and S.B. No. 1335, as amended, were recommitted to the Committee on Water, Land Use and Development.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 896) approving the intent and purpose of S.B. No. 1002 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 896 on S.B. No. 1002 was deferred until tomorrow, April 12, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 897) approving the intent and purpose of S.B. No. 623, SD 1 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 897 on S.B. No. 623, as amended, was deferred until tomorrow, April 12, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 898)

approving the intent and purpose of S.B. No. 59 and recommending its passage on Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 898 on S.B. No. 59 was deferred until tomorrow, April 12, 1973.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 899) approving the intent and purpose of S.B. No. 748, SD 2 and recommending its passage on Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 899 on S.B. No. 748, as amended, was deferred until tomorrow, April 12, 1973.

The Chair here directed the Clerk to note that printed copies of S.B. No. 1002, SD 1, S.B. No. 623, SD 1, HD 2, S.B. No. 59 and S.B. No. 748, SD 2, HD 1 were made available to the members of the House at 5:30 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

At 11:03 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 11:05 o'clock p.m., the House of Representatives reconvened.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 900) approving the intent and purpose of S.B. No. 902, SD 1 and recommending its passage on Second Reading and its referral to the Committee on Finance.

Representative Suwa moved that referral of S.B. No. 902 to the Committee on Finance be waived, seconded by Representative Akizaki and carried.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and, notwithstanding the recommendation contained therein, S.B. No. 902 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1973.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 901) approving the intent and purpose of S.B. No. 18, SD 1 and recommending its passage on Second Reading and its referral to the Committee on Finance.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and S.B. No. 18 passed Second Reading and was referred to the Committee on Finance.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 902) approving the intent and purpose of H.R. No. 498 and recommending its referral to the Committee on Finance.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H.R. No. 498 was referred to the Committee on Finance.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 903) approving the intent and purpose of H.C.R. No. 119 and recommending its referral to the Committee on Finance.

Representative Suwa moved to waive referral of H.C.R. No. 119 to the Committee on Finance, seconded by Representative Akizaki and carried.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and, notwithstanding the recommendation contained therein, H.C.R. No. 119 was adopted.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 904) approving the intent and purpose of H.R. No. 499 and recommending its referral to the Committee on Finance.

Representative Suwa moved to waive referral of H.R. No. 499 to the Committee on Finance, seconded by Representative Akizaki and carried.

On motion by Representative

O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and, notwithstanding the recommendation contained therein, H.R. No. 499 was adopted.

Representative O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 905) approving the intent and purpose of H.R. No. 500 and recommending its referral to the Committee on Finance.

Representative Suwa moved to waive referral of H.R. No. 500 to the Committee on Finance, seconded by Representative Akizaki and carried.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and, notwithstanding the recommendation contained therein, H.R. No. 500 was adopted.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 906) approving the intent and purpose of H.C.R. No. 106 and recommending its adoption with certain amendments.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H.C.R. No. 106, as amended, was adopted.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 907) approving the intent and purpose of H.C.R. No. 118 and recommending its adoption.

On motion by Representative Yap, seconded by Representative Medina and carried, the report of the Committee was adopted and H.C.R. No. 118 was adopted.

Representative O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 908) approving the intent and purpose of S.B. No. 276 and recommending its passage on Second Reading.

On motion by Representative O'Connor, seconded by Representative

Kimura and carried, the report of the Committee was adopted and S.B. No. 276 passed Second Reading and was placed on the Order of the Day for Third Reading tomorrow, April 12, 1973.

The Chair here directed the Clerk to note that S.B. Nos. 980, 902, SD 1 and 276 had passed Second Reading at 11:07 o'clock p.m.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

Pursuant to the disagreement of the Senate to the amendments proposed by the House to S.B. No. 97 and the request for a conference, the Chair appointed Representatives O'Connor, Chairman, Medina and Yamada as Managers on the part of the House at such conference.

#### **DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK**

By unanimous consent, H.B. No. 1896, as amended by the Senate, was taken from the Clerk's desk.

Representative Wong moved to agree to the amendments proposed by the Senate to H.B. No. 1896, seconded by Representative Sakima and carried.

On motion by Representative Wong, seconded by Representative Sakima and carried, H.B. No. 1896, as amended, passed Final Reading by a vote of 49 ayes, with Representatives Kunimura and Saiki being excused.

By unanimous consent, H.C.R. No. 61, as amended by the Senate, was taken from the Clerk's desk.

Representative Suwa moved to agree to the amendments proposed by the Senate to H.C.R. No. 61, seconded by Representative Akizaki and carried.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H.C.R. No. 61 was Finally adopted.

By unanimous consent, H.B. No. 315, as amended by the Senate, was taken from the Clerk's desk.

Representative Suwa moved to agree to the amendments proposed by the Senate to H.B. No. 315, seconded by Representative Akizaki and carried.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H.B. No. 315, as amended, passed Final Reading by a vote of 47 ayes, with Representatives Kato, Kunimura, Saiki and Wakatsuki being excused.

The Chair here directed the Clerk to note that H.B. Nos. 1896 and 315 had passed Final Reading no earlier than 11:15 o'clock p.m.

#### **SENATE COMMUNICATIONS**

The following communications from the Senate (Sen. Com. Nos. 276 to 326) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 276) informing the House that, pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 172, Senators Ushijima, Chairman, Wong and Mills had been appointed as Managers on the part of the Senate at such conference was placed on file.

In accordance therewith, Representatives O'Connor, Chairman, Kawakami and Medeiros were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 277) informing the House that, pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 809 and the request for a conference on the subject matter of said amendments, Senators Ushijima, Kawasaki and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives O'Connor, Chairman, Kimura and Aduja were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 278) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 160 and has requested a conference on the subject matter, in consequence of which Senators Ushijima, Chairman, Kawasaki and Mills had been appointed as Managers on the part of the Senate for the consideration of said

amendments was placed on file.

In accordance therewith, Representatives O'Connor, Chairman, Yap and Medeiros were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 279) informing the House that the Senate has disagreed to the amendments proposed by the House to Senate Bill No. 920 and has requested a conference on the subject matter thereof, in consequence of which Senators Ushijima, Chairman, Wong and Mills had been appointed as Managers on the part of the Senate for the consideration of said amendments was placed on file.

In accordance therewith, Representatives O'Connor, Chairman, Cobb, Kihano, Yamada and Aduja were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 280) informing the House that the Senate has disagreed to the amendments proposed by the House to Senate Bill No. 14 and has requested a conference on the subject matter thereof, in consequence of which Senators Toyofuku, Chairman, Altiery and Lum had been appointed as Managers on the part of the Senate for the consideration of said amendments was placed on file.

In accordance therewith, Representatives O'Connor, Chairman, Lunasco, Takamine, Kimura, Roehrig, Carroll and Leopold were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 281) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 930, SD 1 and that Senate Bill No. 930, as amended, passed Final Reading in the Senate on April 11, 1973, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, was placed on file.

A communication from the Senate (Sen. Com. No. 282) returning House Concurrent Resolution No. 102 which was adopted this day by the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 283) returning House Bill No. 389 which this Day passed Third Reading in the Senate, in an amended form, was placed on file.

Representative O'Connor moved to disagree to the amendments proposed by the Senate to H.B. No. 389, seconded by Representative Kimura and carried.

In accordance therewith, the Chair appointed Representatives O'Connor, Chairman, Kawakami and Medeiros as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 284) returning House Bill No. 325 which this day passed Third Reading in the Senate, in an amended form, was placed on file.

Representative Kawakami moved to disagree to the amendments proposed by the Senate to H.B. No. 325, seconded by Representative A. Chong and carried.

In accordance therewith, the Chair appointed Representatives Kawakami, Chairman, Kihano and Medeiros as Managers on the part of the House at such conference.

The Chair here directed the Clerk to note that printed copies of H.B. Nos. 389 and 325 had been made available to the members of the House at 3:00 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

A communication from the Senate (Sen. Com. No. 285) returning House Bill No. 218, HD 2 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 286) returning House Bill No. 324, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 287) returning House Bill No. 901, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate

(Sen. Com. No. 288) returning House Bill No. 1000 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 289) returning House Bill No. 1170, HD 1, which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 290) returning House Bill No. 1326, HD 2 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 291) transmitting Senate Concurrent Resolution No. 42 which was this day adopted by the Senate was placed on file.

By unanimous consent, further action on S.C.R. No. 42 was deferred until later on the calendar.

A communication from the Senate (Sen. Com. No. 292) transmitting Senate Concurrent Resolution No. 64 which was this day adopted by the Senate was placed on file.

By unanimous consent, further action on S.C.R. No. 64 was deferred until later on the calendar.

A communication from the Senate (Sen. Com. No. 293) transmitting Senate Concurrent Resolution No. 65 which was this day adopted by the Senate was placed on file.

By unanimous consent, further action on S.C.R. No. 65 was deferred until later on the calendar.

A communication from the Senate (Sen. Com. No. 294) returning House Bill No. 60, HD 1, which this day passed Third Reading in the Senate in an amended form was placed on file.

By unanimous consent, H.B. No. 60, as amended by the Senate was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 295) informing the House that, pursuant to the amendments proposed by the House to Senate Bill No. 1227, SD 1 and the naming of the Managers on the part of the Senate, the

Managers on the part of the Senate had this day been discharged.

A communication from the Senate (Sen. Com. No. 296) informing the House that the Senate has disagreed to the amendments proposed by the House to Senate Bill No. 231 and has requested a conference on the subject matter thereof, in consequence of which Senators Takitani, Chairman, Brown and Mirikitani had been appointed as Managers on the part of the Senate for the consideration of said amendments.

In accordance therewith, the Chair appointed Representatives Lee, Chairman, Takamine and Leopold as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 297) informing the House that the Senate has disagreed to the amendments proposed by the House to Senate Bill No. 1152, SD 1 and has requested a conference on the subject matter thereof, in consequence of which Senators Ching, Chairman, Taira and Henderson had been appointed as Managers on the part of the Senate for the consideration of said amendments, was placed on file.

In accordance therewith, the Chair appointed Representatives O'Connor, Chairman, Wedemeyer, and Yamada as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 298) transmitting Senate Concurrent Resolution No. 66 which was this day adopted by the Senate was placed on file.

By unanimous consent, further action on S.C.R. No. 66 was deferred until tomorrow, April 12, 1973.

A communication from the Senate (Sen. Com. No. 299) returning House Concurrent Resolution No. 32, HD 1 which was this day adopted by the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 300) returning House Bill No. 15, HD 2 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate

(Sen. Com. No. 301) returning House Bill No. 33, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 302) returning House Bill No. 59, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 303) returning House Bill No. 97 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 304) returning House Bill No. 196 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 305) returning House Bill No. 395, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 306) returning House Bill No. 577 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 307) returning House Bill No. 659, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 308) returning House Bill No. 661, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 309) returning House Bill No. 662, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 310) returning House Bill No. 900, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 311) returning House Bill No. 997, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 312) returning House Bill

No. 998 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 313) returning House Bill No. 1162, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 314) returning House Bill No. 1523, HD 2 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 315) returning House Bill No. 1552 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 316) returning House Bill No. 1769 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 317) returning House Bill No. 1770, HD 2 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 318) returning House Bill No. 1847 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 319) returning House Bill No. 1852, HD 1 which passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 320) returning House Bill No. 1883, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 321) returning House Bill No. 2024 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 322) returning House Bill No. 2025, HD 1 which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 323) returning House Bill No. 2030, HD 1 which this day passed Third Reading in the Senate was placed

on file.

A communication from the Senate (Sen. Com. No. 324) informing the House that the Senate has disagreed to the amendments proposed by the House to Senate Bill No. 931, SD 1 and has requested a conference on the subject matter thereof, in consequence of which Senators Takitani, Chairman, Brown and Mirikitani had been appointed as Managers on the part of the Senate for the consideration of said amendments.

In accordance therewith, the Chair appointed Representatives Lee, Chairman, Takamine, Kunimura and Leopold as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 325) transmitting Senate Concurrent Resolution No. 50 which was this day adopted by the Senate was placed on file.

By unanimous consent, further action on S.C.R. No. 50 was deferred until tomorrow, April 12, 1973.

A communication from the Senate (Sen. Com. No. 326) informing the House that, pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 325 and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman, Brown and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

The Chair here directed the Clerk to note that printed copies of H.B. No. 60, HD 1, SD 1 had been made available to the members of the House at 8:07 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii

#### DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 504 to 507) and concurrent resolutions (H.C.R. Nos. 97, 121 and 122 and S.C.R. Nos. 4, 42, 64 and 65) were disposed of as follows:

H.R. No. 504 was referred to the Committee on Finance.

H.R. No. 505 was referred to the

Committee on Housing and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 506 was referred to the Committee on Labor and Employment and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.R. No. 507 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the resolution to the Committee on Finance.

H.C.R. No. 97 was referred to the Committee on Water, Land Use and Development.

H.C.R. No. 121 was referred to the Committee on Finance.

H.C.R. No. 122 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

S.C.R. No. 4 was referred to the Committee on Health.

S.C.R. No. 42 was referred to the Committee on Higher Education and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

S.C.R. No. 64 was referred to the Committee on Education and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

S.C.R. No. 65 was referred to the Committee on Finance.

#### CONFERENCE COMMITTEE REPORTS

Representative Akizaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments by the House to S.B. No. 90, 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. 90, as amended, was deferred until

tomorrow, April 12, 1973.

The Chair directed the Clerk to note that printed copies of S.B. No. 90, SD 1, HD 1, CD 1 were made available to the members of the House at 7:35 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Suwa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1283, 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. 1283, as amended, was deferred until tomorrow, April 12, 1973.

Representative Suwa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1295, 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 S.B. No. 1295, as amended, was deferred until tomorrow, April 13, 1973.

Representative O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 172, 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. 172, as amended, was deferred until tomorrow, April 12, 1973.

Representative O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 166, 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. 166, as amended, was deferred until tomorrow, April 12, 1973.

Representative Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 325, 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. 325, as amended, was deferred until tomorrow, April 12, 1973.

Representative O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 809, 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 H.B. No. 809, as amended, was deferred until tomorrow, April 12, 1973.

Representative O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 920, 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. 920, as amended, was deferred until tomorrow, April 12, 1973.

Representative O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 97, 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. 97, as amended, was deferred until tomorrow, April 12, 1973.

Representative O'Connor, for the Committee on Conference on the

disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 160, 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. 160, as amended, was deferred until tomorrow, April 12, 1973.

Representative O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1152, 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 S.B. No. 1152, as amended, was deferred until tomorrow, April 12, 1973.

Representative Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 231, 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 S.B. No. 231, as amended, was deferred until tomorrow, April 12, 1973.

Representative O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to H.B. No. 637, 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. 637, as amended, was deferred until tomorrow, April 12, 1973.

The Chair here directed the Clerk to note that printed copies of S.B. No. 1283, SD 1, HD 1, CD 1; S.B. No. 1295, SD 1, HD 2, CD 1; H.B. No. 172, HD 1, SD 1, CD 1; H.B. No. 166, HD 1, SD 1, CD 1; H.B. No. 325, SD 1, CD 1; H.B. No. 809, HD 1, SD 1, CD 1; and S.B. No. 920, SD 2, HD 1, CD 1 had been made

available to the members of the House at 9:00 o'clock p.m. and that printed copies of S.B. No. 97, SD 1, HD 1, CD 1; S.B. No. 160, SD 2, HD 1, CD 1; and S.B. No. 1152, SD 1, HD 1, CD 1 had been made available to the members of the House at 9:30 o'clock p.m. and that printed copies of S.B. No. 637, HD 1, SD 1, CD 1 had been made available to the members of the House at 8:00 o'clock p.m., in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

Representative Fong, for the minority members on the Committee on Conference on S.B. No. 1293, presented a minority report (Min. Rep. on Conf. Com. Rep. No. 2) recommending that the bill not pass final reading.

By unanimous consent, the report was received and placed on file.

Representative Fong, for the minority members of the Committee on Conference on S.B. No. 1295, presented a minority report (Min. Rep. on Conf. Com. Rep. No. 3) recommending that the bill not pass final reading.

By unanimous consent, the report was received and placed on file.

At 11:34 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 11:48 o'clock p.m., the House of Representatives reconvened.

### THIRD READING

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

Third Reading of S.B. No. 1043.

On motion by Representative Lunasco, seconded by Representative Takamine, S.B. No. 1043 passed Third Reading by a vote of 50 ayes, with Representative Kunimura being excused.

Third Reading of S.B. No. 34.

On motion by Representative Yap, seconded by Representative Medina, S.B. No. 34 passed Third Reading by a vote of 50 ayes, with Representative Kunimura

being excused.

#### UNFINISHED BUSINESS

Consideration of Stand. Com. Rep. No. 882 on S.B. No. 394, as amended, which had been deferred to this day.

On motion by Representative A. Chong, seconded by Representative Kimura and carried, the report of the Committee was adopted and S.B. No. 394, as amended, having been read throughout, passed Third Reading by a

vote of 51 ayes.

The Chair here directed the Clerk to note that S.B. Nos. 1043, 34 and 394 had passed Third Reading no earlier than 11:50 o'clock p.m.

At 11:55 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, April 12, 1973.

## 60TH DAY

Thursday, April 12, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 11:00 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by The Reverend Ronald F. K. Ching of the Kaimuki Evangelical Church.

Roll call of the members of the House of Representatives showed that all members were present with the exception of Representatives A. Chong, Fong, Hapai, Kato, Kawakami, Kimura, Lee, Poepoe and Wakatsuki, who were excused.

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

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Ninth Day was approved.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 327 to 330) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 327) returning House Bill No. 103, HD 1, which passed Third Reading in the Senate on April 11, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 328) returning House Bill No. 562, HD 2, which passed Third Reading in the Senate on April 11, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 329) returning House Bill No. 876, HD 1, which passed Third Reading in the Senate on April 11, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 330) returning House Bill No. 1246, HD 1, which passed Third Reading in the Senate on April 11, 1973, was placed on file.

## ORDER OF THE DAY

### DEFERRED RESOLUTION

The following concurrent resolution (H.C.R. No. 123) was disposed of as follows:

H.C.R. No. 123 was referred to the Committee on Corrections and Rehabilitation and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 909) informing the House that House Resolution Nos. 505 to 507, Standing Committee Report Nos. 890 to 908, House Concurrent Resolution No. 123, Standing Committee Report No. 910 to 915, Minority Report on Conference Committee Report No. 2, Re: S.B. 1283, SD 1, HD 1, CD 1; Minority Report on Conference Committee Report No. 3, Re: S.B. 1295, SD 1, HD 2, CD 1; Conference Committee Report No. 1, Re: S.B. 90, SD 1, HD 1, CD 1; Conference Committee Report No. 2, Re: S.B. 1283, SD 1, HD 1, CD 1; Conference Committee Report No. 3, Re: S.B. 1295, SD 1, HD 2, CD 1; Conference Committee Report No. 4, Re: H.B. 172, HD 1, SD 1, CD 1; Conference Committee Report No. 5, Re: H.B. 166, HD 1, SD 1, CD 1; Conference Committee Report No. 6, Re: H.B. 325, SD 1, CD 1; Conference Committee Report 7, Re: H.B. 809, HD 1, SD 1, CD 1; Conference Committee Report No. 8, Re: S.B. 920, SD 2, HD 1, CD 1; Conference Committee Report No. 9, Re: S.B. 97, SD 1, HD 1, CD 1; Conference Committee Report No. 10, Re: S.B. 160, SD 2, HD 1, CD 1; Conference Committee Report No. 11, Re: S.B. 1152, SD 1, HD 1, CD 1; Conference Committee Report No. 12, Re: S.B. 231, HD 1, CD 1 and Conference Committee Report No. 13, Re: H.B. 637, HD 1, SD 1, CD 1, have been printed and distributed.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 910) approving the intent and purpose of S.C.R. No. 51 and recommending its adoption.

On motion by Representative Wong, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.C.R. No. 51 was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 911) approving the intent and purpose of H.C.R. No. 103 and recommending its adoption.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H.C.R. No. 103 was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 912) approving the intent and purpose of S.C.R. No. 17 and recommending its adoption.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.C.R. No. 17 was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 913) approving the intent and purpose of H.C.R. No. 121 and recommending its adoption.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H.C.R. No. 121 was adopted.

At 11:12 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:01 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives A. Chong, Fong, Hapai, Kato, Kawakami, Kimura, Lee, Poepoe and Wakatsuki.

## INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos.

508 to 513) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 508) commending the Adult Education Program of the Department of Education for the innovative summer immigrant program was jointly offered by Representatives Sakima, Aduja, Ajifu, Aki, Akizaki, Amaral, W. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Iha, Kato, Kawakami, Kihano, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, Oda, Saiki, Soares, Suwa, Takamine, Ushijima, Wasai, Wedemeyer, Wong, Yap, Young and Yuen.

On motion by Representative Sakima, seconded by Representative Yap and carried, H.R. No. 508 was adopted.

A resolution (H.R. No. 509) extending congratulations to Ms. Kathy Dashiell, Mr. George Kaeo, Jr. and Mr. Michael Indie upon their becoming members of the Hawaii Bar and expressing the appreciation of the House of Representatives, State of Hawaii, for their many fine and invaluable contributions to the success of the Regular Session of 1973 was jointly offered by Representatives J. Garcia, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative J. Garcia, seconded by Representative Oda and carried, H.R. No. 509 was adopted.

A resolution (H.R. No. 510) recognizing and commending the American Field Service International Scholarship program in Hawaii was jointly offered by Representatives A. Chong, Ajifu, Akizaki, Amaral, W. Chong, Cobb, de la Cruz, Fong, R. Garcia, Hapai, Kawakami, Kihano, Kimura, Kishinami, Kondo, Leopold, Lunasco, Medeiros, Nakama, Poepoe, Roehrig, Sakima, Suwa, Ushijima, Wedemeyer, Yim, Young, Yuen and Beppu.

On motion by Representative A. Chong, seconded by Representative Sakima and carried, H.R. No. 510 was adopted.

A resolution (H.R. No. 511) honoring Ms. Zena M. Schuman, Hawaii's Mother of the Year for 1973 was jointly offered by Representatives Fong, Aduja, Ajifu, Aki, Amaral, Carroll, A. Chong, W. Chong, Cobb, J. Garcia, R. Garcia, Kihano, Kimura, King, Kishinami, Leopold, Lunasco, Medeiros, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Takamine, Uechi, Wasai, Yamada, Yim, Young and Yuen.

On motion by Representative Fong, seconded by Representative Yamada and carried, H.R. No. 511 was adopted.

A resolution (H.R. No. 512) providing that the Committee on Finance shall review all resolutions requesting studies, audits and reports to determine the need for legislative review was jointly offered by Representatives Suwa, Ajifu and Akizaki.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H.R. No. 512 was adopted.

A resolution (H.R. No. 513) offering condolences to the family of the late Walter Victor was jointly offered by Representatives W. Chong, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative W. Chong, seconded by Representative J. Garcia and carried, H.R. No. 513 was adopted.

By unanimous consent, the following resolution (H.R. No. 514) was referred to the Committee on Legislative Management and further action was deferred until later on the calendar:

A resolution (H.R. No. 514) requesting the State Office of Consumer

Protection, under the general guidance and direction of the House of Representatives, to study the practices of financial institutions regarding owner occupancy and investor mortgage loans was jointly offered by Representatives Young, Aki, Amaral, Carroll, Cobb, de la Cruz, Kondo, Lee, Morioka, Poepoe, Sakima, Suwa, Takamine, Wakatsuki, Wedemeyer and Yuen.

### SUSPENSION OF RULES

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried unanimously, the rules were suspended for the purpose of considering bills on Third and Final Readings on the basis of a modified consent calendar.

### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 311, as amended by the Senate, was taken from the Clerk's desk.

Representative O'Connor moved that the House agree to the amendments proposed by the Senate to H.B. No. 311 and that H.B. No. 311, as amended, having been read throughout, pass Final Reading, seconded by Representative Kimura.

Representative O'Connor then explained the amendments made by the Senate.

The motion was put by the Chair and carried, and H.B. No. 311, as amended, passed Final Reading by a vote of 46 ayes, with Representatives Cobb, Hapai, Leopold, Wakatsuki and Wasai being excused.

By unanimous consent, H.B. No. 1089, as amended by the Senate, was taken from the Clerk's desk.

Representative O'Connor moved that the House agree to the amendments proposed by the Senate to H.B. No. 1089 and that H.B. No. 1089, as amended, having been read throughout, pass Final Reading, seconded by Representative Kimura.

Representative O'Connor then explained the amendments made by the Senate.

The motion was put by the Chair and carried, and H.B. No. 1089, as amended, passed Final Reading by a vote of 47 ayes, with Representatives Hapai, Iha, Leopold and Wasai being excused.

The Chair directed the Clerk to note that H.B. Nos. 311 and 1089 had passed Final Reading at 12:09 o'clock p.m.

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

At 12:13 o'clock p.m., the House of Representatives reconvened.

At this time, the members of the House extended birthday greetings to Representatives Kunimura and Medina.

At 12:18 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 7:30 o'clock p.m. tonight.

### NIGHT SESSION

The House of Representatives reconvened at 7:53 o'clock p.m.

### DEFERRED RESOLUTIONS

The following resolution (H.R. No. 514) and concurrent resolutions (S.C.R. Nos. 50 and 66) were disposed of as follows:

H.R. No. 514 was referred to the Committee on Consumer Protection.

S.C.R. No. 50 was referred to the Committee on Education.

S.C.R. No. 66 was referred to the Committee on Education and after consideration by it, the Committee was instructed to refer the concurrent resolution to the Committee on Finance.

### STANDING COMMITTEE REPORTS

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 914) approving the intent and purpose of H.R. No. 505 and recommending its referral to the Committee on Finance.

Representative Suwa then moved to waive referral of H.R. No. 505 to the

Committee on Finance, seconded by Representative Akizaki and carried.

Representative Young moved that the report of the Committee be adopted and, notwithstanding the recommendation contained therein, that H.R. No. 505 be adopted, seconded by Representative Yuen.

The motion was put by the Chair and carried, and the report of the Committee was adopted and, notwithstanding the recommendation contained therein, H.R. No. 505 was adopted.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 915) approving the intent and purpose of S.C.R. No. 64 and recommending its referral to the Committee on Finance.

Representative Suwa then moved to waive referral of S.C.R. No. 64 to the Committee on Finance, seconded by Representative Akizaki and carried.

Representative Sakima moved that the report of the Committee be adopted and, notwithstanding the recommendation contained therein, that S.C.R. No. 64 be adopted, seconded by Representative Young.

The motion was put by the Chair and carried, and the report of the Committee was adopted and, notwithstanding the recommendation contained therein, S.C.R. No. 64 was adopted.

Representative Kihano, for the Select Committee of Oahu Representatives, presented a report (Stand. Com. Rep. No. 916) approving the intent and purpose of H.R. No. 307 and recommending its adoption with certain amendments.

On motion by Representative Kihano, seconded by Representative Yap and carried, the report of the Committee was adopted and H.R. No. 307, as amended, was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 917) approving the intent and purpose of S.C.R. No. 59 and recommending its adoption.

On motion by Representative

Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and S.C.R. No. 59 was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 918) approving the intent and purpose of S.C.R. No. 58 and recommending its adoption.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and S.C.R. No. 58 was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 919) approving the intent and purpose of S.C.R. No. 60 and recommending its adoption.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and S.C.R. No. 60 was adopted.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 920) approving the intent and purpose of S.C.R. No. 50 and recommending its adoption.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and S.C.R. No. 50 was adopted.

Representative Sakima, for the Committee on Education, presented a report (Stand. Com. Rep. No. 921) approving the intent and purpose of S.C.R. No. 66 and recommending its referral to the Committee on Finance.

Representative Suwa then moved to waive referral of S.C.R. No. 66 to the Committee on Finance, seconded by Representative Akizaki and carried.

Representative Sakima moved that the report of the Committee be adopted and, notwithstanding the recommendation contained therein, that S.C.R. No. 66 be adopted, seconded by Representative Young.

The motion was put by the Chair and carried, and the report of the Committee was adopted and, notwithstanding the recommendation contained therein, S.C.R. No. 66 was adopted.

Representative Wong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 922) approving the intent and purpose of S.C.R. No. 4 and recommending its adoption.

On motion by Representative Yuen, seconded by Representative Sakima and carried, the report of the Committee was adopted and S.C.R. No. 4 was adopted.

### THIRD READING

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

Third Reading of S.B. No. 980.

On motion by Representative Lunasco, seconded by Representative Takamine, S.B. No. 980 passed Third Reading by a vote of 46 ayes, with Representatives Kato, Kunimura, Uechi, Wakatsuki and Wong being excused.

Third Reading of S.B. No. 902.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 902 passed Third Reading by a vote of 46 ayes, with Representatives Kato, Kunimura, Uechi, Wakatsuki and Wong being excused.

Third Reading of S.B. No. 276.

On motion by Representative O'Connor, seconded by Representative Kimura, S.B. No. 276 passed Third Reading by a vote of 45 ayes to 1 no, with Representative Wasai voting no and Representatives Kato, Kunimura, Uechi, Wakatsuki and Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 980, 902 and 276 had passed Third Reading not earlier than 8:00 o'clock p.m.

### UNFINISHED BUSINESS

Consideration of Stand. Com. Rep.

No. 896 on S.B. No. 1002 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.B. No. 1002, having been read throughout, passed Third Reading by a vote of 46 ayes, with Representatives Kato, Kunimura, Uechi, Wakatsuki and Wong being excused.

Consideration of Stand. Com. Rep. No. 897 on S.B. No. 623, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.B. No. 623, as amended, having been read throughout, passed Third Reading by a vote of 46 ayes, with Representatives Kato, Kunimura, Uechi, Wakatsuki and Wong being excused.

Consideration of Stand. Com. Rep. No. 898 on S.B. No. 59 which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.B. No. 59, having been read throughout, passed Third Reading by a vote of 45 ayes to 1 no, with Representative King voting no and Representatives Kato, Kunimura, Uechi, Wakatsuki and Wong being excused.

Consideration of Stand. Com. Rep. No. 899 on S.B. No. 748, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S.B. No. 748, as amended, having been read throughout, passed Third Reading by a vote of 46 ayes, with Representatives Kato, Kunimura, Uechi, Wakatsuki and Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 1002, 623, 59 and 748 had passed Third Reading not earlier than 8:00 o'clock p.m.

At 8:03 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 8:25 o'clock p.m., the House of

Representatives reconvened.

Consideration of Conf. Com. Rep. No. 1 on S.B. No. 90, as amended, which had been deferred to this day.

On motion by Representative Akizaki, seconded by Representative Yuen and carried, the report of the Committee was adopted and S.B. No. 90, as amended, having been read throughout, passed Final Reading by a vote of 46 ayes, with Representatives Kato, Kunimura, Uechi, Wakatsuki and Wong being excused.

The Chair directed the Clerk to note that S.B. No. 90 had passed Final Reading at 8:26 o'clock p.m.

Consideration of Conf. Com. Rep. No. 13 on H.B. No. 637, as amended, which had been deferred to this day.

Representative O'Connor moved that the report of the Committee be adopted and H.B. No. 637, as amended, having been read throughout, pass Final Reading, seconded by Representative Kimura.

Representative O'Connor then rose and spoke in favor of H.B. No. 637, as follows:

"As one of your co-chairmen of your Conference Committee, I report that your Conference Committee on no-fault insurance met over a series of long hours, on weekends, Saturdays and Sundays with our Senate counterparts on Hawaii's no-fault insurance bill. The result of those meetings and hard work is in House Bill 637, CD 1, which is before this Body.

Mr. Speaker, this bill, as proposed by your Conference Committee, provides for speedy payments of medical benefits, hospital benefits, rehabilitative benefits, loss of wages without regard to fault. Payments for certain kinds of benefits will be made automatically to all of those who are involved in automobile accidents with certain exceptions having to do with certain types of people who will not be covered. Payments of all medical, hospital, rehabilitative benefits and payment of \$800 a month for loss of wages or loss of the 'housewives' kind of care will be paid under this bill. All of these benefits have a maximum limit of \$15,000.

Mr. Speaker, 90% of all claims made up of automobile accidents in the State of Hawaii will be covered by this insurance program but because of the high cost of such a program for certain kinds of terrible injuries, certain kinds of injuries have been excepted. These are the injuries having to do with the worst kinds of bodily or emotional or mental problems, death and injuries which consist in whole or in part of the loss of use of a part of a function of the body, an injury which is a permanent or serious disfigurement, an injury which places a person in the top ten percent of the medical, hospital or rehabilitative benefits which must be paid, or an injury for which all no-fault benefits are exhausted. These kinds of injuries will be left under the present system which is commonly called the tort system.

Your Conference Committee decided that property damage should not be covered at this time under the no-fault benefits and, therefore, it is excluded. Certain other kinds of conduct was decided by your Conference Committee to be outside the scope of this kind of insurance coverage and, therefore, intentional injury or injury which results in punitive or exemplary damage are also exempted.

Mr. Speaker, this bill creates a strong automobile insurance commission which is mandated to handle the rating of automobile insurance in this State after the enactment of this bill. That commission would have an adequate staff and would be mandated initially to decrease the types of benefits which are provided by the bill by 15% in the first year of the operation of the no-fault system.

It was recognized by your Committee that certain categories of drivers should have special breaks and, therefore, motorcyclists are provided the same kind of insurance at the same cost as automobiles as are commercial vehicles. Student drivers are given a 10% discount and people on welfare are considered as a separate class—they being handled by the insurance industry under the assigned risk plan. An innovative assigned risk and assigned claims plan have been adopted by this particular piece of legislation which will be administered by the Insurance Commissioner.

The thrust of this plan is to insure that all people who are injured in accidents receive benefits. These people are to be allocated among the insurance industry; first to obtain insurance and secondly, as risks once they are insured if no insurance applies to them.

Mr. Speaker, the bill, as reported from your Conference Committee, provides a no-fault system for the State of Hawaii which is an initial step towards insurance reform and taking care of the people in Hawaii who are in automobile accidents.

I urge the members of the House to vote in favor of this bill."

Representative Wasai then rose and spoke against the bill, as follows:

"Since the controversy of no-fault insurance emerged in 1971, I used to think that the executives of the insurance industry and the trial lawyers couldn't possibly be as mercenary and insensitive to the welfare of the public as the reports used to make them appear. I somehow thought that after having attained some degree of financial success and independency, they would at some point in time re-examine their conscience and objectives in life and perhaps be motivated more by the welfare of the public, the poor who can hardly afford to buy a car, much less afford to buy auto insurance or medical insurance, or to hire an attorney to write a will. However, after watching the no-fault controversy for the past two years, and seeing what just emerged from the Conference Committee, I am convinced more than ever that our value system and incentives in life are distorted.

During the 1971 session of the legislature, over 30 bills were introduced to change various aspects of the motor vehicle insurance program in Hawaii. The legislature conducted extensive public hearings during the 1971 session on the various proposals. However, the legislature found itself without a sound basis for the development of specific legislation. The legislative committee responsible for reviewing the various proposals noted the lack of evidence to support the numerous conflicting arguments and opinions presented in the hearings. Moreover, no complete actuarial analysis accompanied any of the proposals. The legislature concluded that

the enactment of any proposal without reliable data and adequate study may be harmful to the public's interest. It was for these reasons that the legislature, through House Concurrent Resolution 93, HD 1, requested the Keguslative Auditor's Office to conduct an overall study of the motor vehicle insurance program in Hawaii and to submit a report to the 1972 session.

In its response to HCR 93, the Legislative Auditor submitted a no-fault plan which was hailed by Jeffrey O'Connell, Professor of Law at the University of Illinois, one of the pioneers in insurance reform and co-author of the famous Keeton-O'Connell plan, as 'far and away. . . the most benevolent, sensible, effective and efficient automobile insurance system in all the United States.'

Thus, Hawaii had a chance to take the lead in automobile insurance reform. We, on our own, had developed and had the chance to implement what was surely the most progressive and public-oriented insurance reform in the nation. Instead, we have H.B. 637, which is nothing but a sham, a fake, an imitation of a no-fault insurance. It's not even a modified no-fault insurance. It's a tort proposal. No matter how it tries to hide the fact with catchy no-fault phrases and no matter how many hundreds of times the word 'no-fault' is used, this is still a tort proposal—a proposal which not only retains tort, which retains an inefficient and uneconomic system but one which will, I believe, increase the cost of auto insurance.

In Section 6, entitled, 'Abolition of tort liability', every effort is made to make H.B. No. 637 look like no-fault. It states, for example, 'Tort liability of the owner, operator or user of an insured motor vehicle, or the operator or user of an uninsured motor vehicle who operates or uses such vehicle without reason to believe it to be an uninsured motor vehicle, with respect to motor vehicle accidents occurring in this State, is abolished. . . '.

However, if you read further, you find that tort is not really done away with at all. Tort is allowed if (1) Death occurs to a person in such a motor vehicle accident; or injury occurs which consists, in whole or in part, in a significant permanent loss

of use of a part or function of the body; or injury occurs which consists of a permanent and serious disfigurement which results in subjection of the injured person to mental or emotional suffering, if (2) Injury occurs to a person in a motor vehicle accident in which the amount paid or accrued exceeds the medical-rehabilitative limit established in Section 10(b); and if (3) Injury occurs to a person in such an accident and as a result of such injury the maximum no-fault benefits are exhausted.

The vagueness of the first exemption is obvious. Tort is permitted if 'injury occurs which consists, in whole or in part, in a significant permanent loss of use of a part or function of the body; or injury occurs which consists of a permanent and serious disfigurement which results in subjection of the injured person to mental or emotional suffering.'

When is a loss of the use of a part or function of the body permanent? What about cases where the loss may appear to be temporary but may get progressively worse? Or appear to be permanent but is really temporary? When and under what circumstances will permanent and serious disfigurement result in subjection of the injured person to mental or emotional suffering? When is a disfigurement permanent and serious? How will we go about proving it whenever there is a question of doubt? The answer to all of these questions is not clear.

The public's welfare is at stake and their welfare is being sacrificed in H.B. No. 637 in favor of the trial lawyers and insurance industry. I cannot believe that this Honorable Body is serious in carte blanche establishing the limit for tort, so that, as a minimum, 10% of all motor vehicle accidents is subject to tort liability. This is in effect what Section 10(b) does.

I don't know how much thought went into developing Section 10(b), but you must admit that was a costly, complicated and confusing way to guarantee the trial lawyers 10% of the action. Of course, if we add on the number of tort cases resulting from death, disfigurement, or permanent loss, the percentage is obviously greater than 10%.

As for the premium cost of the

automobile insurance, I recall in 1971 that one of the legislature's primary reasons for wanting insurance reform was to reduce insurance premium. The thrust of many, if not all, of the public hearings was: Will your plan reduce the cost of insurance? By how much? With what degree of reliability?

In summary, Mr. Speaker, H.B. No. 637 was created in nine days behind closed doors by a dozen people. It has not been examined closely. It has not been costed out. It has not been tried or tested. It does not meet the criteria established in HCR 93 and its effect and impact on the people of Hawaii are not known.

Most important, it is not a no-fault proposal despite all the words to the contrary and it is not good for the people of Hawaii.

I urge all my colleagues to vote against this bill. I would like to go on record that I have supported the pure no-fault measure and I believe that measure has the greatest potential in reforming the insurance industry."

Representative Wong then rose and spoke against the bill, as follows:

"This is a bad bill and I am not going to be a party of any fraud which is about to be perpetrated on hundreds of thousands of citizens of our State.

Make no mistake about it. On July 1, 1974, when this bill goes into effect, insurance premiums are going to go up for hundreds of thousands of motorists. I don't have to remind those of you who like being legislators that July 1, 1974 is just about the time the 1974 election campaign gets under way. Try to explain then what happened tonight if we pass this bad bill.

Some of you may think that you can stand the pressures of a small group, and perhaps you can. But how many of you think you can stand the wrath of practically every voter in this State. All of us know that the other bad bill we passed on Third Reading was never costed out. Neither has this bad bill been costed out. If any actuary took a good hard look at this bill, they would have found that auto insurance premiums would most certainly go up. And that is something which the

drafters of this bill are trying to hide from the rest of the members of this Body.

Just plain common sense would tell us that auto insurance premiums would go up. The basic reason is that this bill cannot be called, in any shape or form, a no-fault bill. It retains the tort liability system, lock, stock and barrel. The only extra thing it does is to force every one of us here, and every motorist in the State, to go out and buy \$15,000 of coverage for benefits for themselves.

This means that, for all motorists, they'll have to continue to buy tort liability insurance. The bill itself requires that every motorist carry at least \$15,000 in liability insurance and \$100,000 to \$300,000 in liability insurance. Because this bill continues to leave every motorist wide open to being sued in any accident, every motorist will continue to have to carry high liability insurance. On top of the high liability insurance the owner carries, he must now, under this bill, buy \$15,000 worth of benefits for himself. This is in addition to liability insurance—not in place of liability insurance. No amount of fancy legal language in the bill can change the fact that, when you force the citizens of the State to buy two types of insurance coverages instead of one coverage, and when you don't change the legal system to protect them from being sued, the people of this State are going to pay through the nose.

Not all of us here are lawyers. But I don't have to be a lawyer to understand that the tort liability system, and all that's wrong about it, has been slipped back into this bill. All week long, we've been told that this bill would prohibit rating discrimination because of age, sex, or marital status. I'm all in favor of it. I think young people are getting the shaft—and they're getting the shaft in outlandish rates even though 60% of them reach age 25 without ever having an accident. We've been told they would be taken care of in this bill.

The only place in this bill where age discrimination is prohibited is on Page 42. This prohibition applies only if the person is an assigned risk; that is, only if the person is a drunk driver or is otherwise the worst of drivers. There is nothing in this bill which prohibits age

discrimination if the person is a good driver.

We all know that twenty percent of the people in this State drive without insurance. Most of these people are poor people because they simply can't afford insurance. No allowance for insurance is given to the poor, even the working poor. With compulsory insurance, we're saying to the poor people—go out and buy insurance. We don't know where the money's coming from but you've got to go out and buy insurance.

The only thing that this bill does about the poor is to make them assigned risks. The Senate draft would have taken care of the poor through a State insurance fund. But our Conference Managers must have thought differently. With this bill, we're requiring the poor to buy insurance to protect themselves from losses of income. The poor have no income to protect. We're also requiring them to buy insurance to protect themselves from medical losses. But the poor are already protected by the State's medical assistance program.

In essence, what this bill is asking us to do is to force the poor to go out and buy insurance for which they'll never be receiving any benefits. We're making it very sure that anybody else can collect from the poor because we're also requiring the poor to buy liability insurance.

Most of us genuinely want reform. But I say to you that it's better to try again in the 1974 session and get a good bill out in 1974 than to vote for this bill. Those of us who have been around a little bit longer know that it takes time to get a decent bill out. Let's all vote against this bill and try again in 1974."

Representative Ajifu then rose and spoke in favor of H.B. 637, as follows:

"Although I am very sorry that this Legislature did not have the courage of its own convictions to approve a genuine, pure no-fault insurance bill, I definitely feel that reform of Hawaii's present motor vehicle insurance system is long, long overdue. This bill before us can at least get us started in the right direction.

If and when pure no-fault at last comes to this State, we shall see the

following important differences between such a bill and the one before us tonight:

First, there will be no limit as to the amount of benefits to be collected under pure no-fault. The bill we are asked to approve this evening puts a strict \$15,000 ceiling on the total medical, work-loss compensation and other benefits that a claimant may receive. To anyone that has been involved in a serious auto mishap, these amounts seem small indeed.

Second, H.B. 637 still contains elements of the old tort liability system which has been responsible for so many of the inequities now faced by Hawaii's drivers. Pure no-fault, as the name suggests, would abolish tort liability absolutely once and for all. Only when this time comes, Mr. Speaker, will this Legislature be able to honestly claim the accomplishments of genuine auto insurance reform.

The better highlights of H.B. 637 include:

1. It is partial no-fault; even if it is not pure, it will result in most people's claims being settled more promptly and more fairly than at present.

2. There will be no discrimination in rate setting because of marital status, sex, age, etc. Better, welfare recipients will not be forced into paying costly premiums at all, but can still be protected under H.B. 637.

3. Enactment of this bill will mean an immediate 15% reduction in insurance premiums.

In conclusion, Mr. Speaker, I think we have a good start before us tonight in the long road toward realization of pure no-fault insurance reform. I therefore urge all members of this Honorable Body to vote in favor of this bill on the basis that the steps we take tonight will initiate some auto insurance reform and continue until the day we will at last have pure no-fault insurance for every driver in the State of Hawaii."

Representative Wong rose and inquired whether Representative O'Connor would yield to questions to which Representative O'Connor replied in the affirmative.

Representative Wong then inquired whether or not this bill has been costed out to which Representative O'Connor responded that it has not been costed out but its forerunner has indicated that there could be a savings between 10 and 18.5% on the basic bill notwithstanding the 15% savings provision in the bill itself.

Representative Wong then asked Representative O'Connor to interpret the provisions as stipulated on Page 12, paragraph 4, line 17 and 18.

Representative O'Connor responded:

"I am glad that the previous speaker has pointed that provision out, Mr. Speaker. It does no such thing. In this State today, punitive or exemplary damages are recovered against one who operates a motor vehicle in a wanton and reckless manner with gross negligence; for example, the drag racer who loses control of his car on one of our streets or something of that nature.

For that reason, from time immemorial, there has been no insurance protection for that type of action. Even under our bankruptcy law, such a judgment cannot be wiped out by bankruptcy. These are damages which are given in punishment against the driver who acts in that fashion. For that reason, they fall outside the scope of any insurance plan and that is why they are exempted in this plan.

I would suggest that the comments made by the prior speaker that they return the whole area of tort under a simple negligence scheme of this State is entirely erroneous."

Representative Wong then inquired where this particular individual would get his relief.

Representative O'Connor replied that they would get it from the pocketbook of he who acts wantonly, recklessly or negligently on our streets with his motor vehicle and not from his insurance coverage.

Representative O'Connor then made some concluding remarks, as follows:

"First of all, one of the previous speakers quoted a Professor Jeffrey O'Connell as one who said that the Haldi

Plan was outstanding and, therefore, Hawaii should have followed it. O'Connell should have said that because he was a paid member of the Haldi team and a very strong advocate of the bill since it was partly his creation.

While the previous speaker said that if the threshold is \$5,000, it would be the lowest in the nation. I want to point out, Mr. Speaker, that this \$5,000 is the highest in the nation. Massachusetts, a state which has had a plan in existence for three years and is a forerunner in this area, has a threshold going into tort of \$500 as opposed to \$5,000 and Massachusetts pays total benefits of \$2,000 under the plan as opposed to total benefits under this plan of \$15,000. In Massachusetts, tort cases have dwindled to almost nothing.

Mr. Speaker, there has been some comment regarding this as a bad bill as rates will increase. I indicated earlier in response to a question that every indication your Conference Committee has regarding this bill is that rates will decrease, including a study that came in during the time the Conference Committee was in session. In addition to that, Mr. Speaker, your Conference Committee took the exact language out of the Florida statute having to do with the 15% decrease, and Florida experienced a decrease in premium rates in excess of 20% during the first year of operation.

Mr. Speaker, one of the previous speakers stated that nowhere in this bill is there a provision having to do with discrimination as to age, sex, creed, race, etc. I would direct that member's attention to Page 46. Under the general provisions, Mr. Speaker, in Section 33 of the bill, it says no insurer shall base any standard or rating plan in whole or in part directly or indirectly on race, creed, ethnic extraction, age, sex, length of driving experience, credit bureau rating or marital status. I would suggest that those who speak on this bill read them entirely.

Further, Mr. Speaker, there was some comment about the fact that this bill discriminates against the poor. I would direct other speakers' attention to Page 39 of the bill which, under the assigned risk plan of the bill, specifically provides for certain categories of drivers and among those who shall receive free

insurance under this bill financed by the insurance industry are all licensed driver—owners receiving any public assistance and benefits in any form through the Department of Social Services and Housing. In that same provision, physically handicapped drivers and students are also provided the low cost insurance.

Mr. Speaker, I would suggest that this bill does all that a no-fault insurance bill should do for the State of Hawaii and I urge my colleagues to vote for it."

The motion to adopt the report of the Committee and to pass H.B. No. 637, as amended, on Final Reading was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 637, as amended, passed Final Reading by a vote of 47 ayes to 4 noes, with Representatives Kato, Uechi, Wasai and Wong voting no.

The Chair directed the Clerk to note that H.B. No. 637 passed Final Reading at 9:14 o'clock p.m.

Consideration of Conf. Com. Rep. No. 4 on H.B. No. 172, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 172, as amended, having been read throughout, passed Final Reading by a vote of 51 ayes.

Consideration of Conf. Com. Rep. No. 5 on H.B. No. 166, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the Committee was adopted and H.B. No. 166, as amended, having been read throughout, passed Final Reading by a vote of 51 ayes.

Consideration of Conf. Com. Rep. No. 6 on H.B. No. 325, as amended, which had been deferred to this day.

On motion by Representative Kawakami, seconded by Representative Kihano and carried, the report of the Committee was adopted and H.B. No. 325, as amended, having been read

throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative King voting no.

Consideration of Conf. Com. Rep. No. 7 on H.B. No. 809, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, the report of the majority of the Committee was adopted and H.B. No. 809, as amended, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 172, 166, 325 and 809 had passed Final Reading not earlier than 9:15 o'clock p.m.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 331 to 366) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 331) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 51, SD 2, and that Senate Bill No. 51, as amended, passed Final Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 332) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 56, SD 1, and that Senate Bill No. 56, as amended, passed Final Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 333) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 96, and that Senate Bill No. 96, as amended, passed Final Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 334) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 377, SD 2, and that Senate Bill No. 377, as amended, passed Final Reading in the Senate on April 12,

1973, was placed on file.

A communication from the Senate (Sen. Com. No. 335) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 744, SD 1, and that Senate Bill No. 744, as amended, passed Final Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 336) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 908, and that Senate Bill No. 908, as amended, passed Final Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 337) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 910, SD 1, and that Senate Bill No. 910, as amended, passed Final Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 338) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 1178, and that Senate Bill No. 1178, as amended, passed Final Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 339) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 1206, SD 2, and that Senate Bill No. 1206, as amended, passed Final Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 340) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 1284, SD 1, and that Senate Bill No. 1284, as amended, passed Final Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 341) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 1312, SD 1, and that Senate Bill No. 1312, as amended, passed

Final Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 342) returning House Bill No. 40, HD 1, which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 343) returning House Bill No. 131 which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 344) returning House Bill No. 133 which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 345) returning House Bill No. 154, HD 1, which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 346) returning House Bill No. 183, HD 1, which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 347) returning House Bill No. 185, HD 1, which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 348) returning House Bill No. 660, HD 1, which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 349) returning House Bill No. 706, HD 1, which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 350) returning House Bill No. 1003, HD 2, which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 351) returning House Bill No. 1005 which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 352) returning House Bill No. 1096 which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 353) returning House Bill No. 1097 which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 354) returning House Bill No. 1178, HD 1, which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 355) returning House Bill No. 1254, HD 1, which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 356) returning House Bill No. 1849 which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 357) returning House Bill No. 2026 which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 358) returning House Bill No. 2029 which passed Third Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 359) informing the House of the adoption of the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1295, SD 1, and that Senate Bill No. 1295, as amended, passed Final Reading in the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 360) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 17, SD 1, were agreed to by the Senate and said Concurrent Resolution, as amended, was Finally adopted on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 361) returning House Concurrent Resolution No. 56, HD 1, which was adopted by the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 362) returning House Concurrent Resolution No. 97, HD 1, which was adopted by the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 363) returning House Concurrent Resolution No. 103, HD 1, which was adopted by the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 364) returning House Concurrent Resolution No. 121 which was adopted by the Senate on April 12, 1973, was placed on file.

A communication from the Senate (Sen. Com. No. 365) returning House Bill No. 478, HD 1, which passed Third Reading in the Senate on April 12, 1973, was placed on file.

At 9:19 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 11:58 o'clock p.m., the House of Representatives reconvened.

#### GOVERNOR'S MESSAGE

A message from the Governor (Gov. Mess. No. 73) was read by the Clerk as follows:

“STATE OF HAWAII  
Executive Chambers  
Honolulu

April 12, 1973

Dear Mr. Speaker:

Transmitted herewith is the Executive Order providing for an extension of the 1973 Session of the Seventh Legislature.

Warm personal regards. May the Almighty be with you and yours always.

Sincerely,

/s/ John A. Burns

The Honorable Tadao Beppu  
Speaker, House of Representatives  
Seventh State Legislature  
Regular Session, 1973  
State of Hawaii

Enclosure

#### EXECUTIVE ORDER

WHEREAS, Section 11, Article III of the Constitution of the State of Hawaii provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor'; and

WHEREAS, said Section 11 further provides that 'Saturdays, Sundays, holidays and any days in recess pursuant to a concurrent resolution shall be excluded in computing the number of days of any session'; and

WHEREAS, the governor has been requested to grant an extension and it appears that such an extension is necessary;

NOW, THEREFORE, I, JOHN A.

BURNS, Governor of Hawaii, pursuant to the power vested in me by Section 11, Article III of the Constitution of the State of Hawaii, do hereby extend the 1973 regular session of the Seventh Legislature of the State of Hawaii for a period of three hours following 12:00 midnight, April 12, 1973, pursuant to Section 11, Article III of the Constitution of the State of Hawaii.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 12th day of April, 1973.

/s/ John A. Burns

JOHN A. BURNS  
Governor of Hawaii

APPROVED AS TO FORM:

/s/ George Pai

GEORGE PAI  
Attorney General"

At 11:59 o'clock p.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives adjourned to 12:10 o'clock a.m. tomorrow, April 13, 1973.

## 61ST DAY

Friday, April 13, 1973

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1973, was called to order at 12:30 o'clock a.m.

The Speaker presided.

The Divine Blessing was invoked by Elder Akira Sakima.

Roll call of the members of the House of Representatives showed that all members were present.

The Clerk proceeded to read the Journal of the House of Representatives of the Sixtieth Day.

Representative Ushijima moved to dispense with the reading of the Journal, seconded by Representative Wakatsuki.

The motion was put by the Chair and, roll call having been requested, reading of the Journal was dispensed with by a vote of 27 ayes to 24 noes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kato, Leopold, Lunasco, Medeiros, Oda, Poepoe, Saiki, Soares, Uechi, Wasai, Wong, Yamada and Yim voting no.

Representative J. Garcia moved that the House stand in recess until 11:30 o'clock a.m. today, seconded by Representative Ajifu.

The motion was put by the Chair and, roll call having been requested, the motion to recess failed to carry by a vote of 27 ayes to 24 ayes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kato, Leopold, Lunasco, Medeiros, Oda, Poepoe, Saiki, Soares, Uechi, Wasai, Wong, Yamada and Yim voting aye.

At 2:03 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 2:54 o'clock a.m., the House of Representatives reconvened.

### UNFINISHED BUSINESS

Consideration of Conf. Com. Rep. No. 3 on S.B. No. 1295, as amended, which

had been deferred to this day.

Representative Suwa moved that Conf. Com. Rep. No. 3 be adopted and that S.B. No. 1295, as amended, pass Final Reading, seconded by Representative Akizaki.

Representative Suwa rose and spoke in favor of S.B. No. 1295, as amended, as follows:

"Your Committee on Finance has spent countless hours, days and months trying to find the key to the State fiscal dilemma. We have thoroughly analyzed the budget request and financial plan which was submitted by the Governor in early January. Uppermost in our minds was to adequately provide for the needs of the citizens of our entire State within the financial resources available to us.

For the first time in the State's history, we were able to systematically review the State's goals and objectives, measures of effectiveness and accomplishment in a systematic fashion under the PPB approach. In the years to come, the PPB System will help the Legislature to make long-range programs and financial plans based on sound management decisions and practices. We will be able to foresee the problems before they become a reality and set policy guidelines for the Administration to follow.

The budget before you does have impact on the entire State, including all geographical areas, the business sector, the wealthy, the poor and the large middle class.

For operating requirements of the State, the budget amounts to \$1.9 billion, slightly in excess of \$1 billion over the biennium from the general fund.

In times of prosperity, we all share in the benefits from government. In times of austerity, we must likewise all share in the burden that may be placed on each of us.

Our State, our country, has been founded on lasting principles and has become the world's greatest power of free people with the inherent right of any individual to express his opinion no matter how different it may be.

But tonight let us work together, cast aside our past differences and rise up to face squarely our responsibility which is to the people of this State. No budget can be completely acceptable in every detail. However, from an overall perspective, the budget before you is a good one, not perfect, but certainly workable and sufficient for the needs of our people.

Although a few of you may have some reservations of one kind or another, keep in mind that we will again meet in January, 1974, at which time we may again review the financial condition of our State. We will have ample opportunity to make adjustments to the budget at that time. For those of you who are concerned for the welfare of our people of this State, let me say that the closing of the session tonight does not end our responsibility to the citizenry. It would be fairer to say that tonight marks the beginning of what lies ahead.

I would like to, therefore, urge all the members of this Honorable Body to vote 'aye' on S.B. No. 1295, SD 1, HD 2, CD 1."

Representative Leopold rose and spoke against S.B. No. 1295, as amended.

Representative Wasai rose and spoke against S.B. No. 1295, as amended, as follows:

"This body cannot in good conscience act on the budget for higher education as it now stands. In a time when we should be concerned with the judicious use of scarce resources available to government, we are presented with a higher education budget which blatantly misplaces priorities—for this budget allows for such new luxury-type programs as the medical and law schools in the face of ample facts which indicate that action on more basic higher educational needs is called for.

If we pass this budget before us, we would be ignoring the very factors that have supposedly guided the formulation of legislative budgetary decisions during this session. As delineated in the Conference Committee report itself, this legislative session has deliberated budgetary matters, presumably in the context of the interaction of three ever present forces: First, a serious fiscal deficit condition which, if not corrected,

could affect the State's fiscal integrity. Secondly, the rising level of government expenditures, spurred by the wage-price-population phenomenon. And thirdly, the uncertainty of federal revenues, because of which the State must practice caution and prudence in going after federal support which may later be removed, leaving the onus on the State to provide funding.

The higher education budget we are now asked to accept appears to overlook these cogent factors. It threatens to aggravate the State's fiscal imbalance by investing valuable resources in status-symbol ventures, the medical school and the law school, while the University is presently hard-pressed to accommodate their undergraduates in a basic higher education program. We see, too, the familiar reliance on federal support, this time for the medical school, fully aware of the unreliability of the continued presence of such aid.

I call to the attention of this Honorable Body, certain conditions which attest to the foolhardy manner in which priorities have been placed in the formulation of the higher education budget.

First, the expanding demand for a college education requires increased expenditure of government resources simply to provide for the most basic, minimal aspects of a higher education program. Hawaii's system of higher education has grown by nearly astonishing proportions during the last decade. There has been an increasing demand for the services of the University, as evidenced by the growth in enrollment and in other aspects of the University. Despite the fact that the University's share of the State's total general resources has increased, we are struggling to provide the most basic of services. Even earlier sessions of the Legislature have expressed concern over the State's ability to support a basic higher education program. I quote from the Hawaii State Legislature, Sixth Legislature, Regular Session of 1971, Committee on Conference, Report No. 1, 7 April 1971:

'Even by expanding existing institutions and creating comprehensive programs in the community colleges and exercising controlled growth, the system may still have a deficit of about 9,000

students by 1976—that is, 9,000 local students who won't be able to enroll in the University system.'

The need for a second campus underscores the urgency of this situation. Yet, the proposed budget calls for frosting when basic ingredients can barely be provided for.

Further, we are already cognizant of a related problem which has arisen from the misapplication of resources. The Conference Committee report points out that undergraduates are encountering difficulty in registering for the most basic of University courses. It states:

'...Students [are] unable to register for courses, particularly lower division courses, to fulfill course requirements and courses required in the major. The Legislative Auditor found that semester after semester, there are a number of students who find that they are unable to register for courses of their choosing because courses and sections are closed early during the period of registration. This is not a result of registration procedures, although these, too, can be improved but a more direct result of misplaced priorities in the application of faculty resources.'

Are we to further commit resources inappropriately by diverting funds to programs we can ill-afford to support while the students of the University of Hawaii system are being deprived of the most elementary lower division courses because of insufficient classes to meet this demand?

Lastly, I ask you to review the Conference Committee report again. It abounds with references to cost-cutting measures, yet undauntedly rationalizes the need for funding a four-year medical school and for opening a law school at this time. The report questions the justification for hiring 'super stars', expensive faculty members, admonishes the University in its practices in the use of motor vehicles, and reiterates the Legislative Auditor's findings on faculty workload. These considerations pall in comparison to the magnitude of State resources we will be committing, not only for this biennium, but for many bienniums to come.

As for the medical school, I think it's a

nice thing to have, but only if the dollars fell out of the sky. Nobody in this Honorable Body, nobody at the University, has ever been able to tell me what the full costs of the medical school will be when it finally gets rolling.

The University has already admitted in its medical school report last year that it works out to about \$50,000 per student each year.

If the University's arithmetic runs true to form, it actually will turn out to be anywhere between \$50,000 to \$100,000 per year. Throw in all of the capital improvements at all of the hospitals and heaven knows what the figure then will be.

This is not a prudent budget. I urge the members to vote it down."

Representatives Yim and Cobb spoke against the passage of S.B. No. 1295, as amended.

Representative Roehrig rose and spoke in favor of the bill as follows:

"Mr. Speaker, I note with great pleasure that this bill contains appropriations for two projects that are strongly backed by the people of Hilo. They are for the second high school and for Hilo College. For the biennium, these appropriations total \$19.5 million.

I believe that these appropriations will benefit the community in two ways. First, it will mean jobs for many people. Second, and more important, is the benefit that the community, the Island and the State will reap from this investment in our youth. In many ways, the youth of our State are our most precious asset. They are the leaders of tomorrow and the better they are educated and prepared for their role, the better the State will be.

The second high school for Hilo is long overdue. Presently, classrooms at Hilo High are overcrowded, facilities are jammed and the traffic congestion is becoming worse each day. The \$3.5 million in fiscal year 1973-74 for science classrooms, physical education and woodshop facilities, classrooms for business education and home economics and parking areas coupled with an additional \$580,000 in fiscal year

1974-75 for 18 additional classrooms will give Hilo tremendous opportunity to provide needed facilities.

The \$6.6 million in fiscal year 1973-74 for the Hilo Campus of the University of Hawaii when followed by \$8.8 million the next year will provide badly needed facilities of all types from classrooms and a library to a theater and student housing.

I have no doubts that the people of Hilo and the Big Island are solidly in favor of these projects. For this reason, I urge all my colleagues to vote in favor of this bill."

Representative J. Garcia rose and spoke against the passage of S.B. No. 1295, as amended.

Representative Wong rose and spoke against S.B. No. 1295, as amended, as follows:

"Mr. Speaker, the Constitution of the State of Hawaii, as amended by the Constitutional Convention of 1968 and ratified by the electorate on November 5, 1968, grants the legislative power to the legislature in Article III, Section 1. The term 'legislative', as defined by a dictionary, refers to the enactment of laws.

Section 15 of the same article of the State Constitution states: 'No law shall be passed by bill.' And it is a bill which is before us for final passage now—a very bad bill—which would become law upon final passage by both houses and upon signature by the Governor.

What is this bill on which so much import is placed? I cite the State Constitution again to develop my point. Article III, Section 4, entitled, 'The Budget' states: 'Within such time prior to the opening of each regular session in an odd-numbered year as may be prescribed by law, the Governor shall submit to the legislature a budget setting forth a complete plan of proposed expenditures and anticipated receipts of the State for the ensuing fiscal biennium, together with such other information as the legislature may require. The budget shall be submitted in a form prescribed by law.'

I ask you to recall that in 1970, we passed and the Governor enacted into

law, Act 185, The Executive Budget Act, which prescribes in very clear terms the policies and principles by which the State budget shall be approached; the responsibilities of the Governor, the legislature, the Department of Budget and Finance and other agencies; the contents of the executive's six-year program and financial plan; the contents of the executive budget; the contents of the annual variance report and the schedule by which the Act shall be implemented.

The overriding principle on which Act 185 is based is that of PPB—the planning, programming and budgeting system by which the State's programs are grouped by objectives. The full costs of every program are fully laid out for a given period of time and the effectiveness of every program is to be determined and the program decisions are to be made upon the measurement of the program effectiveness.

Act 185 also states that a governing principle of the comprehensive system of State program and financial management which we have adopted is that of systematic analysis. 'Systematic analysis' is the procedure by which a problem is defined, objectives to be met are stated and alternatives, costs, effectiveness, benefits, risks and uncertainties are fully and dispassionately explored.

I submit that the bill we have before us, Senate Bill No. 1295, CD 1, is an abdication of legislative responsibility as prescribed by Act 185. It does not embody systematic analysis on the part of the legislature in its approach to the expenditure of almost \$2 billion. Section 6 of Act 185 states, in part: 'Responsibilities of the legislature. The legislature shall: (a) Consider the long-range plans, including the proposed objectives and policies, the six-year State program and financial plan, and the budget and revenue proposals recommended by the Governor and any alternatives thereto; and (b) Adopt programs and the State budget and appropriate moneys to implement the programs it deems appropriate.'

I submit that this Honorable Body is obliged to apply systematic analysis in carrying out its responsibilities in enacting expenditure and revenue proposals as well as the executive branch of government is obliged to develop those

proposals by systematic analysis. This bill before us reflects very little systematic analysis; in fact, I would venture to say that it reflects no systematic analysis at all!

A 'system', and here I turn once again to the dictionary, is 'a regularly interacting or interdependent group of items forming a unified whole,' and 'a harmonious arrangement or pattern.' This legislature, through S.B. No. 1295, CD 1, is proposing to spend millions of dollars in a manner which is not a unified whole, which is not a harmonious arrangement, and which embodies no discernible pattern.

We all know the fiscal straitjacket which has bound this State for almost two years. We all know that government expenditures have risen as the result of rising prices of goods and services. We all know that government expenditures have also risen as the result of an increased population in the State. We all know that the national recession and the prolonged shipping strike have reduced State revenues. And, lastly, we all know that the extent of federal funding is uncertain at best and, at worst, sure to be decreased for many existing programs administered at the State level.

We all know that Hawaii's State government gets the short end of the stick under the general revenue sharing formula which applies to all states, for many more of our governmental functions are carried out by our State government than is the case in other states where counties assume more governmental functions than our State's counties do.

We know all this. We knew all this when the 1973 session began. And, as the 1973 session comes to a close, we are presented with a budget bill which its Conference Committee report attempts to justify. What the Committee report has omitted and which the Committee report cannot include, simply because that would be a gross misstatement, is the claim that this budget is a unified whole, a harmonious arrangement and contains a rational pattern in its approach to the State's programs.

Does S.B. No. 1295, CD 1 define the major problems which the 1973-75 budget is intended to solve? It does not.

Does this bill indicate that the objectives for the State programs as reflected by the expenditure of funds in the manner set forth in the bill will indeed be fulfilled? It does not. Does this bill reflect rational consideration of the actual costs, benefits, risks and uncertainties of the programs that are being funded? It does not.

The general fund six-year financial plan appended to the Conference Committee report exemplifies the pure fiction on which this budget bill has been based. Given previous erroneous revenue projections, which in part caused our present fiscal problem, how much credibility can be attached to this financial plan? Given previous projections on expenditures, which were also in error, how believable is the expenditure portion of this financial plan? The projected deficit of \$64.4 million for 1973-74 and \$59.1 million for 1974-75 also, as contained in the financial plan, is thus as much fiction as the revenue portion and the expenditure portion of the financial plan."

The Conference Committee report itself acknowledges that federal revenues are uncertain. Congress has yet to pass an appropriations measure which will tell each state the amounts of federal funds available for given programs. And even if an appropriations measure should be passed and no matter when the appropriations measure is passed, there is still the matter of presidential impoundment of funds.

Even if Congress made available to Hawaii the same level of funding as we have enjoyed in the past, we have no guarantee that federal revenues will come close to the appropriations. In fact, the question of President Nixon's impoundment of funds is still being debated as a constitutional issue. There is no indication in the budget bill before this Honorable Body what kinds of assumptions were the bases for the federal revenue projections.

Have we assumed that Congress will appropriate at X level? Y level? Z level? Have we assumed that President Nixon will impound A percentage of X level? B percentage of X level or maybe A percentage of Y level?

Who knows what the assumptions

were. And even if we knew what the assumptions for federal revenues were, do we know what the assumptions for State revenues were? Our projections have been proven wrong in the past—very wrong. How much confidence can we place in the magnitude of the expenditures we are authorizing without a reasonable level of confidence in projected revenues?

And this bill simply does not address itself to the resolution of these questions. This bill does not represent a systematic, rational, dispassionate approach to funding the operations of Hawaii's State government.

This bill is a pork-barrel approach to operating expenditures. We all know what pork-barrel is in the area of capital improvements expenditures. 'Pork-barrel' has been criticized, ridiculed and misused. Nevertheless, it remains a weapon in the hands of those who control legislative power to dispense public works projects in the districts of the favored and the powerful and to withhold such projects from those districts represented by the less favored and the powerless.

And now the irrational and unfair pork-barrel approach will spread into the realm of operating expenditures as well if we adopt S.B. No. 1295, CD 1.

I can make this charge because if one takes a close look at the programs which have been funded and even expanded and then takes a look at the programs which have been cut and cut severely, one can see that the glamor programs which have their own supporters in places of power have been favored as pork-barrel programs.

I state sadly that S.B. No. 1295, CD 1, misplaces priorities. S.B. No. 1295, CD 1, expands the medical school at the University of Hawaii to a full four-year graduate school. We all know that a medical school will not cost the State what most other graduate programs cost. A medical school is a very expensive proposition. Certainly, we made a start in incurring such an expense when we authorized and funded a two-year medical school. But the incremental cost of the third and fourth years is several times more than the cost of the first and second years. The State not only does not have that kind of money to appropriate,

the full cost implications have not even been made available. The Committee report to S.B. No. 1295, CD 1—the very report that urges passage of this bill on final reading and admits that, and I quote: 'there are still unresolved problems concerning the operation, cost and funding of the program.'

The Committee report also states that one of the conditions under which the authorization for the medical school is made is that, quote: 'all operating contracts between the University and community shall acknowledge the budgetary limitations and shall be executed by July 1, 1973.' I emphasize the latter portion because what the Committee report tries to camouflage is that the agreements between the University and the hospitals, where the bulk of the clinical work will be undertaken during the third and fourth years, have yet to be finalized.

This means that without the final agreements, we do not know what kinds of concessions the State will have to make to get our students into those privately owned facilities for their training. Thus, we do not know what it will actually cost us to start and maintain a full four-year medical school.

You will note that at no time in the arguments in favor of the four-year medical school have we heard thargument that the school would be justified on the basis of a shortage of doctors in this State. The fact of the matter is there is no shortage of doctors in this State. In fact, with the invalidation of residency requirements there has been a dramatic increase in the number of applicants for medical licenses to practice in this State.

Moreover, how many students will actually benefit from the expansion of the medical school to the full four years? Only a small number. And that small number will include not only residents of Hawaii. That small number will include, as the present enrollment in the two-year school has included, students from the mainland and from the Pacific Basin. If we had an accurate picture of the costs of the medical school, the cost-benefit ratio would be appalling. And, if the taxpayers of this State knew what the cost-benefit ratio would be for those who will be footing the bill, those in positions of power could not so

cavalierly include the medical school in S.B. No. 1295, CD 1.

The pork-barrel approach to operating expenditures is also glaringly exemplified in other 'fat' areas in this budget. The establishment of the law school at the University of Hawaii, the opening of the West Oahu College, the continuation of the three-on-two program in lower education for the first year of the biennium and a slight cutback in the second year of the biennium—in spite of the fact that three-on-two has not proved its effectiveness—these are but a few of the many examples contained in this budget whereby this legislature proposes to extend pork-barrel to the operating budget.

It grieves me, and it also makes me mad, to see how this budget proposes to pay for all these glamorous, pork-barrel programs. For the programs that are being cut in order to pay for these favored programs are those that affect the people least able to make up what's been cut—the poor. As I have said, and as my colleagues who speak against this bill have said, the poor are being made the scapegoat. Their hides are being tanned, in fact, their hides are being removed from them altogether in the form of drastically reduced funding for the social welfare programs of this State.

Even before the funding cuts were made, the level of support was nowhere near any acceptable minimum income level. And in Hawaii, with its high cost of living matched only by Alaska, any national average for a minimum income level is totally irrelevant and totally inadequate.

But the cuts that are represented by Senate Bill 1295, CD 1, are unconscionable. In effect, they make it even more difficult for the poor to get themselves out of poverty. The degradation and the humiliation that often accompany the state of poverty—simply because the poor see others better off than they—will be compounded by the enforced lower standard of living to which they will find themselves. There is a popular misconception that the poor on welfare are willfully poor—that if they chose to, they could get off welfare. But statistics have shown that only a small portion of welfare recipients are employable. The

bulk of them have no recourse—absolutely no recourse—but to 'get on welfare.' The budget that is being proposed before us will ensure that the poor who 'get on welfare' will stay there.

We cannot in good conscience pass this bill and make possible its enactment into law. It does not take a systematic approach to the expenditure of operating funds. It reflects no rational plan for attacking the problems of this State. It has misplaced priorities—priorities in terms of human needs, not human egos and powerful interests. Senate Bill 1295, CD 1 is the height of a display of vested interests. Senate Bill 1295, CD 1 is nothing but a pork-barrel approach to operating expenditures. I urge my colleagues to vote 'no' on this bill."

The motion to pass S.B. No. 1295, SD 1, HD 2, CD 1 on Final Reading was put by the Chair and, roll call having been requested, S.B. No. 1295, as amended, passed Final Reading by a vote of 27 ayes to 24 noes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, R. Garcia, Hapai, Kato, Leopold, Lunasco, Medeiros, Oda, Poepoe, Saiki, Soares, Uechi, Wasai, Wong, Yamada and Yim voting no.

Consideration of Conf. Com. Rep. No. 2 on S.B. No. 1283, as amended, which had been deferred to this day.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, consideration of Conf. Com. Rep. No. 2 on S.B. No. 1283, as amended, was deferred until the end of the calendar.

Consideration of Conf. Com. Rep. No. 9 on S.B. No. 97, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Medina and carried, the report of the Committee was adopted and S.B. No. 97, as amended, passed Final Reading by a roll call vote of 50 ayes to 1 no, with Representative Wasai voting no.

Consideration of Conf. Com. Rep. No. 12 on S.B. No. 231, as amended, which had been deferred to this day.

On motion by Representative Lee, seconded by Representative Takamine

and carried, the report of the Committee was adopted and S.B. No. 231, as amended, passed Final Reading by a roll call vote of 48 ayes, with Representatives Cobb, R. Garcia and Wasai being excused.

The Chair here directed the Clerk to note that S.B. Nos. 1295, 1283 and 97 had passed Final Reading no earlier than 1:40 o'clock a.m.

At 1:42 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 1:55 o'clock a.m., the House of Representatives reconvened.

Consideration of Conf. Com. Rep. No. 10 on S.B. No. 160, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Yap and carried, the report of the Committee was adopted and S.B. No. 160, as amended, passed Final Reading by a roll call vote of 49 ayes, with Representatives R. Garcia and Wasai being excused.

Consideration of Conf. Com. Rep. No. 11 on S.B. No. 1152, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Wedemeyer and carried, the report of the Committee was adopted and S.B. No. 1152, as amended, passed Final Reading by a roll call vote of 50 ayes, with Representative Fong being excused.

Consideration of Conf. Com. Rep. No. 8 on S.B. No. 920, as amended, which had been deferred to this day.

On motion by Representative O'Connor, seconded by Representative Cobb and carried, the report of the Committee was adopted and S.B. No. 920, as amended, passed Final Reading by a roll call vote of 51 ayes.

The Chair here directed the Clerk to note that S.B. Nos. 160, 1152 and 920 had passed Final Reading no earlier than 2:00 o'clock a.m.

At 2:03 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 2:54 o'clock a.m., the House of Representatives reconvened.

### DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 60, as amended by the Senate, was taken from the Clerk's desk.

Representative O'Connor moved to agree to the amendments proposed by the Senate to H.B. No. 60, seconded by Representative Kimura.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H.B. No. 60, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that H.B. No. 60 had passed Final Reading at 2:55 o'clock a.m.

### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 515 to 534) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 515) congratulating Brigadier General Valentine A. Siefermann on his appointment and confirmation as Adjutant General of the State of Hawaii was jointly offered by Representatives Carroll, Aduja, Ajifu, Aki, Akizaki, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Kato, Kawakami, Kihano, Kimura, King, Kondo, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Carroll, seconded by Representative J. Garcia and carried, H.R. No. 515 was adopted.

A resolution (H.R. No. 516) requesting the Speaker of the House of Representatives to appoint interim committees to study and recommend action on various legislative concerns was jointly offered by Representatives O'Connor, de la Cruz, Morioka, Nakama, Ushijima, Wakatsuki, Wedemeyer and Yuen.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 516 was adopted.

A resolution (H.R. No. 517) expressing appreciation to the Central Services Division, Department of Accounting and General Services for its fine services to the House of Representatives, Regular Session of 1973 was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 517 was adopted.

A resolution (H.R. No. 518) conveying appreciation and thanks to the Pineapple Growers Association of Hawaii for supplying fresh pineapple juice to the House was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

A resolution (H.R. No. 519) conveying appreciation and thanks to the University of Hawaii for supplying fresh tropical fruit juice to the House was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

A resolution (H.R. No. 520) extending sincere gratitude and thanks to the Honolulu Council of Churches and all of its member churches, the Association of the Oahu Evangelicals, the Honpa Hongwanji Mission and the Catholic Diocese was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 520 was adopted.

A resolution (H.R. No. 521) expressing appreciation to the Capitol Security Force, Department of Defense, for outstanding service provided the House throughout the Regular Session of 1973 was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J.

Garcia and carried, H.R. No. 521 was adopted.

A resolution (H.R. No. 522) expressing appreciation to the Honolulu Police Department for its kind and efficient service rendered to the members of the House during the entire session was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 522 was adopted.

A resolution (H.R. No. 523) commending the Honolulu Star-Bulletin for its extensive coverage of its activities of the Seventh Legislature, Regular Session of 1973 was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 523 was adopted.

A resolution (H.R. No. 524) commending the Honolulu Advertiser for its extensive coverage of the activities of the Seventh Legislature, Regular Session of 1973 was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 524 was adopted.

A resolution (H.R. No. 525) commending the Associated Press for its extensive coverage of the activities of the Seventh Legislature, Regular Session of 1973 was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 525 was adopted.

A resolution (H.R. No. 526) commending the United Press International for its extensive coverage of the activities of the Seventh Legislature, Regular Session of 1973 was jointly offered by Representatives Beppu, de la

Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 526 was adopted.

A resolution (H.R. No. 527) expressing deepest appreciation to the members of the press, radio stations and TV stations for having provided extensive coverage throughout the session was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 527 was adopted.

A resolution (H.R. No. 528) authorizing the Speaker to approve the Journal of this House for the Sixty-First Day was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 528 was adopted.

A resolution (H.R. No. 529) authorizing and directing the Committee on the Journal to compile and print the Journal of the House of Representatives, Regular Session of 1973, pursuant to Rule 20 of the Rules of Procedure was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 529 was adopted.

A resolution (H.R. No. 530) authorizing and empowering the Speaker to expend such sum or sums as he deems necessary from the funds appropriated for legislative and other expenses of the Seventh Legislature, Regular Session of 1973, for the purpose of completing the work of the Seventh Legislature, Regular Session of 1973, subsequent to the adjournment thereof, including carrying out of any official legislative business in the interim between the 1973 and 1974 sessions, up to and including January 16,

1974, 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 Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 530 was adopted.

A resolution (H.R. No. 531) 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 to determine the period of employment for each was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 531 was adopted.

A resolution (H.R. No. 532) expressing appreciation to the Legislative Auditor's Office for its splendid cooperation and service rendered to the House during this session was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 532 was adopted.

A resolution (H.R. No. 533) expressing appreciation to the Legislative Reference Bureau for its splendid cooperation and service rendered to the House during this session was jointly offered by Representatives Beppu, de la Cruz, J. Garcia, Soares, Ushijima and Wakatsuki.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 533 was adopted.

A resolution (H.R. No. 534) relating to standing and special committees authorized to conduct hearings during the interim between the adjournment of the Regular Session of 1973 and the convening of the Regular Session of 1974

was offered by Representative Beppu.

On motion by Representative Ushijima, seconded by Representative J. Garcia and carried, H.R. No. 534 was adopted.

#### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 366 to 405) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 366) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1283 was this day adopted by the Senate and that S.B. No. 1283, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 367) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 90 was this day adopted by the Senate and that Senate Bill No. 90, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 368) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 97 was this day adopted by the Senate and that S.B. No. 97, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 369) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 160 was this day adopted by the Senate and that Senate Bill No. 160, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 370) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 231 was this day adopted by the Senate and Senate Bill No. 231, as amended, this day passed

Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 371) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 920 was this day adopted by the Senate and Senate Bill No. 920, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 372) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 166 was this day adopted by the Senate and House Bill No. 166, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 373) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 172 was this day adopted by the Senate and House Bill No. 172, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 374) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 325 was this day adopted by the Senate and House Bill No. 325, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 375) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 637 was this day adopted by the Senate and House Bill No. 637, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 376) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 809 was this day adopted by the Senate and House Bill No. 809, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 377) informing the House that the amendments proposed by the House to Senate Bill No. 34 were this day agreed to by the Senate and that Senate Bill No. 34, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 378) informing the House that the amendments proposed by the House to Senate Bill No. 37 were this day agreed to by the Senate and that Senate Bill No. 37, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 379) informing the House that the amendments proposed by the House to Senate Bill No. 87 were this day agreed to by the Senate and that Senate Bill No. 87, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 380) informing the House that the amendments proposed by the House to Senate Bill No. 111 were this day agreed to by the Senate and that Senate Bill No. 111, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 381) informing the House that the amendments proposed by the House to Senate Bill No. 176 were this day agreed to by the Senate and that Senate Bill No. 176, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 382) informing the House that the amendments proposed by the House to Senate Bill No. 227 were this day agreed to by the Senate and that Senate Bill No. 227, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 383) informing the House that the amendments proposed by the House to Senate Bill No. 394 were this day agreed to by the Senate and that Senate Bill No. 394, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 384) informing the House that the amendments proposed by the House to Senate Bill No. 569 were this day agreed to by the Senate and that Senate Bill No. 569, as amended, this day

passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 385) informing the House that the amendments proposed by the House to Senate Bill No. 660 were this day agreed to by the Senate and that Senate Bill No. 660, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 386) informing the House that the amendments proposed by the House to Senate Bill No. 698 were this day agreed to by the Senate and that Senate Bill No. 698, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 387) informing the House that the amendments proposed by the House to Senate Bill No. 722 were this day agreed to by the Senate and that Senate Bill No. 722, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 388) informing the House that the amendments proposed by the House to Senate Bill No. 1014 were this day agreed to by the Senate and that Senate Bill No. 1014, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 389) informing the House that the amendments proposed by the House to Senate Bill No. 1103 were this day agreed to by the Senate and that Senate Bill No. 1103, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 390) informing the House that the amendments proposed by the House to Senate Bill No. 1221 were this day agreed to by the Senate and that Senate Bill No. 1221, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 391) informing the House that the amendments proposed by the House to Senate Bill No. 1227 were this day agreed to by the Senate and that Senate Bill No. 1227, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 392) informing the House that the amendments proposed by the House to Senate Bill No. 1228 were this day agreed to by the Senate and that Senate Bill No. 1228, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 393) informing the House that the amendments proposed by the House to Senate Bill No. 1274 were this day agreed to by the Senate and that Senate Bill No. 1274, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 394) informing the House that the amendments proposed by the House to Senate Bill No. 1382 were this day agreed to by the Senate and that Senate Bill No. 1382, as amended, this day passed Final Reading, was placed on file.

A communication from the Senate (Sen. Com. No. 395) returning House Bill No. 317, HD 1 which this day passed Third Reading in the Senate, was placed on file.

A communication from the Senate (Sen. Com. No. 396) returning House Bill No. 656, HD 2 which this day passed Third Reading in the Senate, was placed on file.

A communication from the Senate (Sen. Com. No. 397) returning House Bill No. 1043, HD 1 which this day passed Third Reading in the Senate, was placed on file.

A communication from the Senate (Sen. Com. No. 398) returning House Bill No. 1151 which this day passed Third Reading in the Senate, was placed on file.

A communication from the Senate (Sen. Com. No. 399) returning House Bill No. 1194, HD 2 which this day passed Third Reading in the Senate, was placed on file.

A communication from the Senate (Sen. Com. No. 400) returning House Bill No. 1299, HD 1 which this day passed Third Reading in the Senate, was placed on file.

A communication from the Senate (Sen. Com. No. 401) returning House Bill No. 1322, HD 1 which this day passed Third Reading in the Senate, was placed on file.

A communication from the Senate (Sen. Com. No. 402) returning House Bill No. 1334, HD 1 which this day passed Third Reading in the Senate, was placed on file.

A communication from the Senate (Sen. Com. No. 403) returning House Bill No. 1640, HD 1 which this day passed Third Reading in the Senate, was placed on file.

A communication from the Senate (Sen. Com. No. 404) transmitting Senate Concurrent Resolution No. 68 which was this day adopted by the Senate, was placed on file.

By unanimous consent, action on S.C.R. No. 68 was deferred until later on the calendar.

A communication from the Senate (Sen. Com. No. 405) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1152 was this day adopted by the Senate and Senate Bill No. 1152, as amended, this day passed Final Reading, was placed on file.

#### DEFERRED MATTER

Consideration of Conf. Com. Rep. No. 3 on S.B. No. 1283, as amended, which had been deferred to this time.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee and S.B. No. 1283, as amended, were placed on the Clerk's desk and the Managers on the part of the House on said bill were discharged.

At 2:58 o'clock a.m., on motion by Representative Ushijima, seconded by Representative J. Garcia and carried, the House of Representatives adjourned sine die.

**GOVERNOR'S MESSAGES RECEIVED  
AFTER THE ADJOURNMENT OF THE  
LEGISLATURE SINE DIE**

**Gov. Mess. No. 74** from John A. Burns, Governor of Hawaii, transmitting copies of a report prepared by the University of Hawaii in response to **House Resolution No. 362**, Requesting a study of the University of Hawaii Financial Aid Program.

**Gov. Mess. No. 75** from John A. Burns, Governor of Hawaii, transmitting copies of a report prepared by the University of Hawaii in response to **House Resolution No. 338**, Requesting the University of Hawaii to Review its present bookstore ordering policy and to develop and implement the necessary measures to alleviate the present problems of inefficiencies in the ordering system.

**Gov. Mess. No. 76** from John A. Burns, Governor of Hawaii, transmitting copies of the Historic Preservation 1972 Annual Report prepared by the Department of Land and Natural Resources in accordance with Act 254, SLH 1967.

**Gov. Mess. No. 77** from John A. Burns, Governor of Hawaii, informing the House that he had signed the following bills on April 5, 1973: **House Bill No. 148** as Act 4, **Senate Bill No. 76** as Act 5 and **Senate Bill No. 89** as Act 6.

**Gov. Mess. No. 78** from John A. Burns, Governor of Hawaii, informing the House that he had signed the following bills: **House Bill No. 134** as Act 7, **House Bill No. 137** as Act 8, **House Bill No. 139** as Act 9, **House Bill No. 142** as Act 10, **House Bill No. 145** as Act 11, **House Bill No. 147** as Act 12, **House Bill No. 213** as Act 13, **House Bill No. 214** as Act 14, **House Bill No. 215** as Act 15 and **House Bill No. 340** as Act 16 on April 9, 1973.

**Gov. Mess. No. 79** from John A. Burns, Governor of Hawaii, transmitting copies of a report prepared by Hawaii Public Television in response to **Senate Resolution No. 229**, Requesting Educational Television to investigate the feasibility of relocating its transmitter to the Pali.

**Gov. Mess. No. 80** from John A. Burns, Governor of Hawaii, transmitting copies of a report prepared by the University of Hawaii in response to **House Concurrent Resolution No. 19**, Requesting the University of Hawaii to submit to the 1973 Legislature: 1. An Educational Plan for

West Oahu College; and 2. A Site Recommendation for West Oahu College.

**Gov. Mess. No. 81** from John A. Burns, Governor of Hawaii, informing the House that he signed **Senate Bill No. 141** as Act 17 and **House Bill No. 470** as Act 18 on April 10, 1973.

**Gov. Mess. No. 82** from John A. Burns, Governor of Hawaii, informing the House that he signed **House Bill No. 1141** as Act 19 and **House Bill No. 1875** as Act 20 on April 12, 1973.

**Gov. Mess. No. 83** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on April 17, 1973: **House Bill No. 334** as Act 21, **Senate Bill No. 125** as Act 22, and **Senate Bill No. 163** as Act 23.

**Gov. Mess. No. 84** from John A. Burns, Governor of Hawaii, transmitting a copy of HPERB's report.

**Gov. Mess. No. 85** from John A. Burns, Governor of Hawaii, informing the House that he signed **Senate Bill No. 1221** as Act 24 on May 3, 1973.

**Gov. Mess. No. 86** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on May 4, 1973: **Senate Bill No. 87** as Act 25, **Senate Bill No. 660** as Act 26, **Senate Bill No. 990** as Act 27, **Senate Bill No. 1284** as Act 28, **Senate Bill No. 1386** as Act 29, **House Bill No. 34** as Act 30, **House Bill No. 36** as Act 31, **House Bill No. 37** as Act 32, **House Bill No. 39** as Act 33, **House Bill No. 47** as Act 34, **House Bill No. 121** as Act 35, **House Bill No. 124** as Act 36, **House Bill No. 127** as Act 37, **House Bill No. 1874** as Act 38, **House Bill No. 154** as Act 39, **House Bill No. 160** as Act 40, **House Bill No. 162** as Act 41, **House Bill No. 186** as Act 42, **House Bill No. 187** as Act 43, **House Bill No. 194** as Act 44 and **House Bill No. 132** as Act 45.

**Gov. Mess. No. 87** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on May 7, 1973: **House Bill No. 216** as Act 46, **House Bill No. 218** as Act 47, **House Bill No. 320** as Act 48, **House Bill No. 323** as Act 49, **House Bill No. 329** as Act 50, **House Bill**

No. 338 as Act 51, **House Bill No. 478** as Act 52, **House Bill No. 482** as Act 53, **House Bill No. 656** as Act 54, **House Bill No. 862** as Act 55, **House Bill No. 1326** as Act 56, **House Bill No. 1333** as Act 57, **House Bill No. 1521** as Act 58 and **House Bill No. 1523** as Act 59.

**Gov. Mess. No. 88** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on May 8, 1973: **Senate Bill No. 59** as Act 60, **Senate Bill No. 97** as Act 61, **Senate Bill No. 134** as Act 62, **Senate Bill No. 722** as Act 63, **Senate Bill No. 822** as Act 64, **Senate Bill No. 1382** as Act 65 and **House Bill No. 1156** as Act 66.

**Gov. Mess. No. 89** from John A. Burns, Governor of Hawaii, informing the House that he signed **Senate Bill No. 140** as Act 67 and **House Bill No. 325** as Act 68 on May 10, 1973.

**Gov. Mess. No. 90** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on May 11, 1973: **Senate Bill No. 129** as Act 69, **House Bill No. 315** as Act 70, **House Bill No. 316** as Act 71, **House Bill No. 901** as Act 72 and **House Bill No. 1246** as Act 73.

**Gov. Mess. No. 91** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on May 15, 1973: **Senate Bill No. 34** as Act 74, **Senate Bill No. 276** as Act 75, **Senate Bill No. 908** as Act 76, **Senate Bill No. 1002** as Act 77, **Senate Bill No. 1043** as Act 78, **Senate Bill No. 1308** as Act 79, **Senate Bill No. 1312** as Act 80, **House Bill No. 1151** as Act 81, **House Bill No. 1194** as Act 82, **House Bill No. 1299** as Act 83, **House Bill No. 1334** as Act 84, **House Bill No. 1552** as Act 85, **House Bill No. 1847** as Act 86 and **House Bill No. 2026** as Act 87.

**Gov. Mess. No. 92** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on May 15, 1973: **House Bill No. 23** as Act 88, **House Bill No. 180** as Act 89, **House Bill No. 133** as Act 90, **House Bill No. 615** as Act 91, **House Bill No. 880** as Act 92, **House Bill No. 997** as Act 93, **House Bill No. 1170** as Act 94, **House Bill No. 1254** as Act 95, **House Bill No. 1770** as Act 96, **Senate Bill No. 90** as Act 97, **Senate Bill No. 192** as Act 98, **Senate Bill No. 820** as Act 99, **Senate Bill No. 1007** as Act 100, **Senate Bill No. 1008** as Act 101, **House Bill**

**No. 395** as Act 102, and **Senate Bill No. 1206** as Act 103: On May 17, 1973 he signed the following bills: **House Bill No. 1093** as Act 104, **Senate Bill No. 122** as Act 105, **Senate Bill No. 194** as Act 106, **Senate Bill No. 930** as Act 107, **Senate Bill No. 1131** as Act 108, **House Bill No. 998** as Act 109, **Senate Bill No. 270** as Act 110, **Senate Bill No. 883** as Act 111, **Senate Bill No. 910** as Act 112, **Senate Bill No. 1100** as Act 113, **Senate Bill No. 1227** as Act 114, **House Bill No. 327** as Act 115, **House Bill No. 1096** as Act 116, **House Bill No. 1097** as Act 117, **House Bill No. 1089** as Act 118, **House Bill No. 1337** as Act 119 and **Senate Bill No. 137** as Act 120.

**Gov. Mess. No. 93** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on May 18, 1973: **Senate Bill No. 155** as Act 121, **Senate Bill No. 995** as Act 122, **Senate Bill No. 1153** as Act 123, **House Bill No. 103** as Act 124, **House Bill No. 166** as Act 125, **House Bill No. 196** as Act 126, **House Bill No. 706** as Act 127, **House Bill No. 1003** as Act 128, **House Bill No. 1005** as Act 129, **House Bill No. 1322** as Act 130 and **House Bill No. 2024** as Act 131.

**Gov. Mess. No. 94** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on May 22, 1973: **House Bill No. 13** as Act 132, **House Bill No. 35** as Act 133, **House Bill No. 38** as Act 134, **House Bill No. 40** as Act 135, **House Bill No. 59** as Act 136, **House Bill No. 115** as Act 137, **House Bill No. 131** as Act 138, **House Bill No. 157** as Act 139, **House Bill No. 183** as Act 140, **House Bill No. 185** as Act 141, **House Bill No. 317** as Act 142, **House Bill No. 562** as Act 143, **House Bill No. 577** as Act 144, **House Bill No. 660** as Act 145, **House Bill No. 876** as Act 146, **House Bill No. 900** as Act 147, **House Bill No. 995** as Act 148, **House Bill No. 1000** as Act 149, **House Bill No. 1043** as Act 150, **House Bill No. 1154** as Act 151, **House Bill No. 1169** as Act 152, **House Bill No. 1769** as Act 153, **House Bill No. 1849** as Act 154, **House Bill No. 1852** as Act 155, **Senate Bill No. 121** as Act 156, **Senate Bill No. 157** as Act 157, **Senate Bill No. 160** as Act 158, **Senate Bill No. 284** as Act 159, **Senate Bill No. 415** as Act 160, **Senate Bill No. 377** as Act 161, **Senate Bill No. 394** as Act 162, **Senate Bill No. 744** as Act 163, **Senate Bill No. 929** as Act 164, **Senate Bill No. 1017** as Act 165, **Senate Bill No. 1152** as Act 166, **Senate Bill No. 1155** as Act 167 and **Senate Bill No. 1202**

as Act 168.

**Gov. Mess. No. 95** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on May 24, 1973: **Senate Bill No. 316** as Act 169, **House Bill No. 311** as Act 170, **Senate Bill No. 56** as Act 171, **Senate Bill No. 96** as Act 172, **Senate Bill No. 109** as Act 173, **Senate Bill No. 111** as Act 174, **Senate Bill No. 176** as Act 175, **Senate Bill No. 228** as Act 176, **Senate Bill No. 231** as Act 177, **Senate Bill No. 386** as Act 178, **Senate Bill No. 920** as Act 179, **Senate Bill No. 1014** as Act 180, **Senate Bill No. 1018** as Act 181, **Senate Bill No. 1024** as Act 182, **Senate Bill No. 1178** as Act 183, **Senate Bill No. 1183** as Act 184, **House Bill No. 22** as Act 185, **House Bill No. 161** as Act 186, **House Bill No. 200** as Act 187, **House Bill No. 659** as Act 188, **House Bill No. 661** as Act 189, **House Bill No. 662** as Act 190, **House Bill No. 990** as Act 191, **House Bill No. 1162** as Act 192 and **House Bill No. 1640** as Act 193.

**Gov. Mess. No. 96** from John A. Burns, Governor of Hawaii, as follows:

“State of Hawaii  
Executive Chambers  
May 25, 1973

Statement of Objections to  
**House Bill No. 1178**

Honorable Members  
Seventh Legislature  
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **House Bill No. 1178**, entitled ‘A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES.’

**House Bill No. 1178** seeks to increase the bond requirements for collection agencies.

However, the Legislature has also passed **House Bill No. 200**, which amends the qualifications required for a collection agency license, along with increasing the bond requirements. Since I have already signed **House Bill No. 200** into law, **House Bill No. 1178** is not necessary. Moreover, Approval of **House Bill No. 1178** would only raise an ambiguity as to the bond requirements for additional offices maintained by a licensee and would serve no

useful purpose.

For the foregoing reasons, I am returning **House Bill No. 1178** without my approval.

Respectfully,

/s/ John A. Burns

JOHN A. BURNS  
Governor of Hawaii”

“PROCLAMATION

WHEREAS, under section 17 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 objection any bill presented to him less than ten days before adjournment sine die of the legislature; and

WHEREAS, **House Bill No. 1178**, entitled “A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES”, passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, **House Bill No. 1178** is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN A. BURNS, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **House Bill No. 1178** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

Done at Hawaii State Capitol,  
Honolulu, State of Hawaii,  
this 25th day of May, 1973.

/s/ John A. Burns

JOHN A. BURNS  
Governor of Hawaii”

**Gov. Mess. No. 97** from John A. Burns, Governor of Hawaii, as follows:

“State of Hawaii  
Executive Chambers  
May 25, 1973

Statement of Objections to  
**House Bill No. 1883**

Honorable Members  
Seventh Legislature  
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **House Bill No. 1883**, entitled "A BILL FOR AN ACT RELATING TO THE SPECIAL COMPENSATION FUND IN WORKMEN'S COMPENSATION."

**House Bill No. 1883** would require an annual audit of the Special Compensation Fund, established under the Workmen's Compensation Law, by a certified public accountant appointed by the Director of Labor and Industrial Relations. The costs of such audit would be payable out of the Special Compensation Fund. The bill would also authorize assessments against insurers of employers (§386-153) or employers who are not insured (§386-154), whenever the Director determines that the cash balance of the Special Compensation Fund is insufficient to meet the Fund's obligations. For the calendar year 1973, a special assessment established by rule of the Director, not to exceed 1.6 times the 1972 special assessment, is to be paid.

However, the Legislature has also passed **Senate Bill No. 1178**, relating to the special compensation fund under the Workmen's Compensation Law, which appears identical to **House Bill No. 1883**. Since I have already signed **Senate Bill No. 1178** into law, **House Bill No. 1883** is not necessary and approval thereof would serve no useful purpose.

For the foregoing reasons, I am returning **House Bill No. 1883** without my approval.

Respectfully,

/s/ John A. Burns

JOHN A. BURNS  
Governor of Hawaii"

#### "PROCLAMATION

WHEREAS, under section 17 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. 1883**, entitled "A BILL FOR AN ACT RELATING TO THE SPECIAL COMPENSATION FUND IN WORKMEN'S COMPENSATION," passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, **House Bill No. 1883** is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN A. BURNS, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **House Bill No. 1883** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

Done at Hawaii State Capitol,  
Honolulu, State of Hawaii,  
this 25th day of May, 1973.

/s/ John A. Burns

JOHN A. BURNS  
Governor of Hawaii"

**Gov. Mess. No. 98** from John A. Burns, Governor of Hawaii, as follows:

"State of Hawaii  
Executive Chambers  
May 25, 1973

#### Statement of Objections to **House Bill No. 2029**

Honorable Members  
Seventh Legislature  
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **House Bill No. 2029**, entitled "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS."

**House Bill No. 2029** would require the elevator mechanics board to notify the Department of Labor and Industrial Relations of any fact or situation which constitutes a violation of the Occupational Safety and Health Act (Chapter 396, Hawaii Revised Statutes). The effect of the bill would be to clearly indicate that the Department of Labor and Industrial Relations has the primary responsibility for

enforcing the Occupational Safety and Health Act in this area.

However, the legislature has also passed **Senate Bill No. 1018** which is practically identical to **House Bill No. 2029**. Since I have already signed **Senate Bill No. 1018** into law, **House Bill No. 2029** is not necessary and approval thereof would serve no useful purpose.

For the foregoing reasons, I am returning **House Bill No. 2029** without my approval.

Respectfully,

/s/ John A. Burns

JOHN A. BURNS  
Governor of Hawaii"

#### "PROCLAMATION

WHEREAS, under section 17 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. 2029**, entitled "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS", passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, **House Bill No. 2029** is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN A. BURNS, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **House Bill No. 2029** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

Done at Hawaii State Capitol,  
Honolulu, State of Hawaii,  
this 25th day of May, 1973.

/s/ John A. Burns

JOHN A. BURNS  
Governor of Hawaii"

**Gov. Mess. No. 99** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on May 29, 1973: **Senate Bill No. 569** as Act 194, **Senate Bill No. 980** as Act 195, **Senate Bill No. 5** as Act 196, **Senate Bill No. 51** as Act 197, **Senate Bill No. 873** as Act 198, **Senate Bill No. 1274** as Act 199, **House Bill No. 33** as Act 200, **House Bill No. 60** as Act 201 and **House Bill No. 1091** as Act 202.

**Gov. Mess. No. 100** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on May 31, 1973: **House Bill No. 637** as Act 203, **Senate Bill No. 37** as Act 204, **Senate Bill No. 178** as Act 205, **Senate Bill No. 622** as Act 206, **Senate Bill No. 1029** as Act 207, **Senate Bill No. 1103** as Act 208, **Senate Bill No. 1205** as Act 209, **Senate Bill No. 1228** as Act 210 and **House Bill No. 2021** as Act 211.

**Gov. Mess. No. 101** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on June 1, 1973: **Senate Bill No. 227** as Act 212, **Senate Bill No. 698** as Act 213, **House Bill No. 172** as Act 214, **Senate Bill No. 1380** as Act 215 and **House Bill No. 12** as Act 216.

**Gov. Mess. No. 102** from John A. Burns, Governor of Hawaii, informing the House that he signed the following bills on June 8, 1973: **House Bill No. 809** as Act 217 and **Senate Bill No. 1295** as Act 218.

**Gov. Mess. No. 103** from John A. Burns, Governor of Hawaii, informing the House that he signed **Senate Bill No. 902** as Act 219 on June 14, 1973.

**Gov. Mess. No. 104** from John A. Burns, Governor of Hawaii, informing the House that he signed **Senate Bill No. 993** as Act 220 on June 20, 1973.

**Gov. Mess. No. 105** from John A. Burns, Governor of Hawaii, transmitting copies of the State of Hawaii Program Structure, which can be used as a reference in reviewing the Multi-Year Program and Financial Plans and other materials of the State PPB System.

**Gov. Mess. No. 106** from George R. Ariyoshi, Lieutenant Governor, State of Hawaii, transmitting copies of reports prepared by the Department of Education in response to the following Resolutions: **Sen-**

ate **Concurrent Resolution No. 64**, Requesting the Department of Education to develop and implement an agriculture curriculum to encourage Hawaii's Youth to consider and pursue careers in agriculture, and to promote awareness and interest in Hawaii's Agricultural Development through school education programs; **Senate Resolution No. 23**, Requesting the Department of Education and University of Hawaii Community Colleges to find avenues of using the knowledge and experience of Senior Citizens to Benefit the Education of our Youth; **Senate Resolution No. 235**, Requesting the College of Education of the University of Hawaii and the Department of Education to work together for implementation of the metric system of measurement as the primary language of measurement in the schools of the State; **Senate Resolution No. 236**, Requesting the Department of Education to implement the recommendations of the 1973 State Student Conference.

**Gov. Mess. No. 107** from John A. Burns, Governor of Hawaii, transmitting copies of

a report prepared by the State Immigration Service Center, Commission on Manpower and Full Employment, pursuant to Section 662-11, Hawaii Revised Statutes.

**Gov. Mess. No. 108** from John A. Burns, Governor of Hawaii, transmitting copies of a report prepared by the Department of the Attorney General pursuant to Section 662-11, Hawaii Revised Statutes, in regard to all tort claims arbitrated, compromised, or settled for \$2,000 or less by the Department of the Attorney General during the fiscal year ending June 30, 1973.

**Gov. Mess. No. 109** from George R. Ariyoshi, Lieutenant Governor, State of Hawaii, transmitting copies of a report prepared by the Department of Education in response to **Senate Resolution No. 233**, Requesting the Department of Education and the Department of Accounting and General Services to develop methods of promoting the exchange of equipment, books and educational supplies among the schools and school districts.

**DEPARTMENTAL COMMUNICATION RECEIVED  
AFTER THE ADJOURNMENT OF THE  
LEGISLATURE SINE DIE**

**Dept. Com. No. 14** from Jack H. Hamada, Chairman, Hawaii Public Employment Board, acknowledging receipt of **House Resolution No. 446**.

**Dept. Com. No. 15** from Hiroshi Yamashita, Chairman, Board of Education acknowledging receipt of **House Resolution No. 446**.

**Dept. Com. No. 16** from Richard E. Marland, Interim Director, Office of Environmental Quality Control acknowledging receipt of **House Concurrent Resolution No. 32**.

**Dept. Com. No. 17** from Sunao Kido, Chairman and Member, Department of Land and Natural Resources acknowledging receipt of **House Resolution Nos. 349, 447, 481 and House Concurrent Resolution Nos. 32 and 102**.

**Dept. Com. No. 18** from Gerald Y.Y. Chang, Deputy Attorney General, submitting a report to the governor on **House Bill No. 36** passed by the Legislature "Relating to statutory revision, conforming titles 1 to 27 of the Hawaii Revised Statutes to the Rules of Court and Titles 28 to 37, as amended by the Sixth Legislature, 1972 Regular Session, Effective July 1, 1973.

**Dept. Com. No. 19** from Doak C. Cox, Director, University of Hawaii, Environmental Center, submitting the publication of a new edition of "Environmental Concern at the University of Hawaii, Manoa: A Cross-Listed Directory of Resources" to be distributed to the members of the House of Representatives.

**Dept. Com. No. 20** from George R. Ariyoshi, Lieutenant Governor, submitting a copy of **New Hampshire Concurrent Resolution No. 6**, petitioning the Congress of the United States to call a constitutional convention for the purpose of permitting voluntary prayer in public schools.

**Dept. Com. No. 21** from Hiram K. Kamaka, Director, Department of Budget and Finance, transmitting the Supplemental Statement with respect to bonds authorized by the Legislature of Hawaii, Regular Session of 1973.

**Dept. Com. No. 22** from Hiram K. Kamaka, Director, Department of Budget and Finance, transmitting certified statement and supporting schedules of the indebtedness of the State of Hawaii as of November 1, 1973.

**Dept. Com. No. 23** from James H. Takushi, Director of Personnel Services and Chairman of the Conference transmitting a copy of the Resolution which was adopted at The Conference of Civil Service Commissions and Directors of Personnel Services for the State of Hawaii, the City and County of Honolulu, the County of Hawaii, the County of Maui and the County of Kauai at their general session on December 6 and 7, 1973 at the Princess Kaiulani Hotel.

**Dept. Com. No. 24** from Sunao Kido, Chairman and Member, Department of Land and Natural Resources, acknowledging receipt of **House Resolution No. 402**, requesting the Governor of the State of Hawaii to declare the fourth Saturday of each September as "National Hunting and Fishing Day".

**Dept. Com. No. 25** from Sunao Kido, Chairman and Member, Department of Land and Natural Resources, acknowledging receipt of **House Resolution No. 360**, requesting the department of land and natural resources to determine to what extent a federal declaration of surplus will affect the Makua Valley Military Training Area and the East Range Military Reservation at Schofield and to evaluate the feasibility of establishing hunting reserves in those areas.

**Dept. Com. No. 26** from Wytze Gorter, Chancellor, University of Hawaii at Manoa, Office of the Chancellor, acknowledging receipt of **House Resolution No. 116**, Requesting a report from the University of Hawaii on Women at the several campuses of the University and Community Colleges and **House Resolution No. 118**, Requesting a report from the University of Hawaii on appointment and employment, and conditions of appointment and employment, of Women at the several campuses of the University and Community Colleges.

**Dept. Com. No. 27** from Leinaala Dun-

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away, Executive Secretary, State Commission on the Status of Women, submitting

their Annual Report for distribution to the members of the House of Representatives.

**MISCELLANEOUS COMMUNICATIONS RECEIVED  
AFTER THE ADJOURNMENT OF THE  
LEGISLATURE SINE DIE**

**Misc. Com. No. 47** from the family of Mrs. Elsie K. Low Foster expressing their appreciation for the sympathy shown by the House of Representatives.

**Misc. Com. No. 48** from Dana G. Mead, Associate Director, Domestic Council, acknowledging for the President of the United States, **House Resolution No. 12**, expressing the concern of the Hawaii State House of Representatives on federal subsidized housing and community development programs.

**Misc. Com. No. 49** from Tad T. Miura, County Clerk, County of Kauai, transmitting a copy of **Resolution No. 52** which was adopted by the Council of the County of Kauai relating to Assistance to school children during the teachers' strike.

**Misc. Com. No. 50** from Patsy T. Mink, Member of Congress, acknowledging receipt of **House Resolution No. 161**, relating to the impact of wage freeze contracts for construction workers in Hawaii.

**Misc. Com. No. 51** from Daniel Quinn Mills, Secretary, Construction Industry Stabilization Committee, acknowledging receipt of **House Resolution No. 161**, relating to the impact of wage freeze contracts for construction workers in Hawaii.

**Misc. Com. No. 52** from James S. Ushijima, County Clerk, County of Maui, transmitting a certified copy of **Resolution No. 42**, "Urging the Legislature of the State of Hawaii to continue its Financial Support of the Hawaii Visitors Bureau."

**Misc. Com. No. 53** from Tad T. Miura, County Clerk, County of Kauai, acknowledging receipt of **House Concurrent Resolution No. 72**, relating to the 1975 or 1976 Amateur Public Links Championship.

**Misc. Com. No. 54** from Mrs. Barbara A. Ludden, Assistant Director for Congressional Affairs, Economic Stabilization Program Cost of Living Council, acknowledging receipt of a March 27 correspondence in regard to the Construction Industry Stabilization Committee.

**Misc. Com. No. 55** from John G. Simpson, Hawaii Visitors Bureau, acknowledging receipt of **House Resolution No. 482**

endorsing "Aloha Friday".

**Misc. Com. No. 56** from Hiram L. Fong, United States Senator, acknowledging receipt of **House Resolution No. 161**, concerning the negotiated contracts covering construction workers in Hawaii.

**Misc. Com. No. 57** from R. M. Hammett, Executive Vice President, American Savings, acknowledging receipt of **House Concurrent Resolution No. 82**.

**Misc. Com. No. 58** from Spark M. Matsunaga, Member of Congress, transmitting a letter from Mrs. Barbara A. Ludden, Assistant Director for Congressional Affairs, Economic Stabilization Program Cost of Living Council, concerning Section 130.72(b) of the Cost of Living Council regulations.

**Misc. Com. No. 59** from Daniel K. Inouye, United States Senator, acknowledging receipt of **House Concurrent Resolution No. 121**.

**Misc. Com. No. 60** from Edward F. Howard, Legislative Assistant, for Spark M. Matsunaga, Member of Congress, acknowledging receipt of **House Concurrent Resolution No. 121**, requesting the Cost of Living Council to immediately consider the appeals of the ruling by the Honolulu District Office of the IRS on the applications for hospital rate exceptions for the 11 county/state hospitals in Hawaii.

**Misc. Com. No. 61** from B. A. Clarey, Admiral, U.S. Navy, acknowledging receipt of **House Resolution No. 480** and in behalf of the U.S. Pacific Fleet join the House of Representatives of the State of Hawaii in extending congratulations to the Hawaii Chapter of the National Railway Historical Society, Inc.

**Misc. Com. No. 62** from Daniel K. Inouye, United States Senator, acknowledging receipt of **House Resolution No. 457**.

**Misc. Com. No. 63** from David S. Nahm, Staff Executive for Spark M. Matsunaga, Member of Congress, acknowledging receipt of **House Concurrent Resolution No. 61**, requesting the President and Congress to reevaluate funding for social programs

and to determine the effect of revenue sharing on such programs.

**Misc. Com. No. 64** from David S. Nahm, Staff Executive for Spark M. Matsunaga, Member of Congress, acknowledging receipt of **House Resolution No. 489**, requesting the Congress to pass legislation exempting processed pineapple products of Hawaii from the coastwise shipping law.

**Misc. Com. No. 65** from David S. Nahm, Staff Executive for Spark M. Matsunaga, Member of Congress, acknowledging receipt of **House Resolution No. 307** relating to the Chinatown Urban Renewal Plan.

**Misc. Com. No. 66** from Darrell M. Trent, Executive Director, Executive Office of the President, Washington D.C., acknowledging receipt of **House Resolution No. 363**, relating to Federal properties in the State of Hawaii.

**Misc. Com. No. 67** from Daniel K. Inouye, United States Senator, acknowledging receipt of **House Concurrent Resolution No. 61** and **House Resolution No. 307**.

**Misc. Com. No. 68** from David S. Nahm, Staff Executive for Spark M. Matsunaga, Member of Congress, acknowledging receipt of **House Resolution No. 457** with reference to the matter of health problems incurred by immigrants into the country and State of Hawaii.

**Misc. Com. No. 69** from Solomon Blatt, Speaker of the House, The House of Representatives, State of South Carolina, transmitting a resolution co-authored by all one hundred twenty four members of the South Carolina House of Representatives and unanimously adopted by that body, and the South Carolina Senate, dealing with the commemoration of our nation's heritage.

**Misc. Com. No. 70** from Hiram L. Fong, United States Senator, acknowledging receipt of **House Concurrent Resolution No. 121**, in regard to applications for hospital rate exceptions for the 11 County/State Hospitals in the State of Hawaii.

**Misc. Com. No. 71** from Roland L. Elliott, Deputy Special Assistant to the President of the United States acknowledging receipt of **House Resolution Numbers 56** and **61**.

**Misc. Com. No. 72** from Hiram L. Fong, United States Senator, acknowledging receipt of **House Resolution No. 457** with regard to the health problems of the State allegedly caused by immigration.

**Misc. Com. No. 73** from Frank F. Fasi, Mayor, City and County of Honolulu, acknowledging receipt of **House Concurrent Resolution No. 61**.

**Misc. Com. No. 74** from Patsy T. Mink, Member of Congress, thanking the Speaker Tadao Beppu for his kind assistance and cooperation in making available a hearing room for the recent meeting of a congressional task force on pensions, chaired by Congressman Burton.

**Misc. Com. No. 75** from Daniel K. Inouye, United States Senator, acknowledging receipt of **House Resolution No. 489**, relating to ocean freight service from Hawaii to the Mainland for the shipping of pineapple.

**Misc. Com. No. 76** from Fred C. Weyand, General, USA, Commander in Chief, Department of the Army, acknowledging receipt of **Senate Concurrent Resolution No. 55** which commends and congratulates the Hawaiian Army Reservists.

**Misc. Com. No. 77** from Hiram L. Fong, United States Senator, acknowledging receipt of **House Resolution No. 489**, Requesting the Congress of the United States to pass legislation exempting processed pineapple products of the State of Hawaii from the Coastwise Shipping Law so as to permit the shipment thereof to the Mainland on all U.S. Flag Ships of Foreign Registry.

**Misc. Com. No. 78** from Hiram L. Fong, United States Senator, acknowledging receipt of **House Resolution No. 307**, relating to the Chinatown Urban Renewal Plan.

**Misc. Com. No. 79** from Tad T. Miura, County Clerk, County of Kauai, acknowledging receipt of **House Resolution No. 231**, Requesting that low and moderate income homes be included in subdivisions and referring it to the Planning Commission for study and recommendations.

**Misc. Com. No. 80** from Hiram L. Fong, United States Senator acknowledging receipt of **House Concurrent Resolution No. 61**, concerning funds for social programs

and the impact of revenue sharing thereon.

**Misc. Com. No. 81** from Patsy T. Mink, Member of Congress, transmitting a letter from Mrs. Patricia P. Pemberton, Acting Director for Congressional Affairs, Economic Stabilization Program Cost of Living Council, in response to an inquiry by the House of Representatives, on behalf of the request for an exception from the regulations of the stabilization program submitted by the State of Hawaii.

**Misc. Com. No. 82** from Eileen K. Lota, City Clerk, City Council, City and County of Honolulu, acknowledging receipt of **House Resolution No. 231**, requesting that low and moderate income homes be included in subdivisions, and advising the House that it was referred to the Committee on Planning and Zoning for its review and consideration.

**Misc. Com. No. 83** from Clinton E. Wooster, Legislative Counsel, Legislative Counsel Bureau, State of Nevada, transmitting a copy of **Senate Joint Resolution No. 7** regularly adopted by the 57th session of the Nevada legislature and approved by the Governor of the State of Nevada entitled: "Requesting the Congress of the United States to call a constitutional convention for the purpose of amending the United States Constitution to prohibit the assignment of students to particular public schools on account of race, religion, color or national origin.

**Misc. Com. No. 84** from Jack Y. Ouye, Secretary, & Charles L. Kanoho, President, Banyan Lions Club, Hilo, Hawaii, transmitting a resolution extending to the Hawaii County Police Department, to Chief Ernest J. Fergerstrom and to the County of Hawaii Police Commission its congratulations for fairly and efficiently carrying out their duties and responsibilities and to assure them of its support and cooperation.

**Misc. Com. No. 85** from Eileen K. Lota, City Clerk, City Council, City and County of Honolulu, transmitting a copy of a report which was adopted by the Council of the City and County of Honolulu, requesting that low and moderate income homes be included in subdivisions whenever possible when considering applications for new subdivisions.

**Misc. Com. No. 86** from Spark M. Matsunaga, Member of Congress, transmitting

a letter from David J. Sencer, M.D. Assistant Surgeon General, Director, Department of Health, Education, and Welfare, Center for Disease Control, in regard to medical requirements for immigrants entering the United States with visas for permanent residence.

**Misc. Com. No. 87** from S.P. Marland, Jr. Assistant Secretary for Education, Department of Health, Education, and Welfare, Office of the Assistant Secretary for Education, Washington, D.C., acknowledging receipt of a letter of April 18 and the enclosed commendation by the Hawaii House of Representatives of "the Special Summer Program for Immigrants" which has been funded jointly by the Hawaii Department of Education and the U.S. Office Education (OE).

**Misc. Com. No. 88** from Margery S. LaMar, Secretary to the Chief Clerk, House of Delegates, Annapolis, Maryland, requesting any material on the House of Representatives comprehensive legislative system.

**Misc. Com. No. 89** from Spark M. Matsunaga, Member of Congress, transmitting a letter from Gerald F. Meyer, Director, Office of Legislative Services, Department of Health, Education, and Welfare, Rockville, Maryland, concerning pineapple being imported into the United States.

**Misc. Com. No. 90** from James S. Ushijima, County Clerk, County of Maui, transmitting **Resolution No. 70**, entitled, "Requesting A Federal subsidy Program for Diversified Farming in the State of Hawaii" which was adopted by the Council on June 1, 1973.

**Misc. Com. No. 91** from James S. Ushijima, County Clerk, County of Maui, transmitting **Resolution No. 71**, entitled, "Requesting The Department of Education to consider providing an Agricultural Program or Courses to Grade Schools in the State of Hawaii" which was adopted by the Council on June 1, 1973.

**Misc. Com. No. 92** from Kenneth Nako, President, Hilo Jaycees, transmitting a resolution unanimously endorsed by the state-wide Jaycee convention held at the Kuilima Hotel on Oahu, urging the swift approval of the environmental impact statement concerning the expansion and improvement of the Hilo Airport.

**Misc. Com. No. 93** from Spark M. Matsunaga, Member of Congress, transmitting a letter from Raymond A. Ioanes, Administrator, United States Department of Agriculture, Washington, D.C., replying to **Resolutions Nos. 39 and 40** concerning sanitation, quality and identity requirements on pineapple imported into the United States.

**Misc. Com. No. 94** from the family of the late Mr. Thomas Takeo Tagawa expressing their deepest appreciation for the beautiful floral and monetary offerings received and kind expressions of sympathy extended them during their recent bereavement.

**Misc. Com. No. 95** from John W. Pemberton, Clerk, House of Representatives, State of Alabama, transmitting **H.J.R. 9 ACT No. 7**, Urging the Defeat of the Equal Rights Amendment.

**Misc. Com. No. 96** from Tad T. Miura, County Clerk, County of Kauai, transmitting copies of **Resolution Nos. 91 and 92** which was adopted by the Council of the County of Kauai, State of Hawaii, on June 19, 1973 in regard to Adult Education.

**Misc. Com. No. 97** from Tadashi Suzuki, County Clerk, County of Hawaii, transmitting a copy of **Resolution No. 81** adopted by the Council of the County of Hawaii in regard to water pollution.

**Misc. Com. No. 98** from McDowell Lee, Secretary of Senate, State of Alabama, transmitting a Resolution entitled: "Applying to the Congress for a convention to propose an amendment to the Constitution of the United States."

**Misc. Com. No. 99** from Senator Antonio M. Palomo, Assistant Minority Leader, Twelfth Guam Legislature, expressing deep gratitude on behalf of the Guam Delegation to the 1973 National Legislative Conference for the overwhelming support given **Resolution No. 1**, a measure urging the United States Congress to seek a method whereby American citizens residing in the territory of Guam — and all other U.S. citizens similarly situated — shall have the right to vote in their national presidential elections.

**Misc. Com. No. 100** from the family of the Late Mrs. Inaba thanking the House

Members for their sympathy shown during their recent bereavement.

**Misc. Com. No. 101** from Walter Kurylo, Secretary, National Association of Regulatory Utility Commissioners transmitting a resolution adopted by the National Association of Regulatory Utility Commissioners at its annual convention in Seattle, Washington, on September 20, regarding the Uniform State Air Carrier Act.

**Misc. Com. No. 102** from Mayor Shunichi Kimura, County of Hawaii, transmitting a copy of his response to **House Resolution No. 15**, relating to the recommendation of incentives to facilitate the relocation of farming operations to the neighbor island counties.

**Misc. Com. No. 103** from Robert D. Wiemer, President, HACD, transmitting a resolution adopted at the annual meeting of the Hawaii Association of Conservation Districts, commending the members of the Temporary Commission for Statewide Environmental Planning for their efforts to transform "a wide spectrum of citizen concerns about deterioration of Hawaii's environment" into specific recommended solutions.

**Misc. Com. No. 104** from Associated Students of the University of Hawaii, urging the impeachment of Richard M. Nixon.

**Misc. Com. No. 105** from Burt K. Tsuchiya, Secretary, Hawaii State Association of Counties transmitting a resolution adopted at their annual meeting, Requesting the County Governments to work together to protect Hawaii's Interests in the Energy Crisis.

**Misc. Com. No. 106** from Tatsuo Kato, Deputy County Clerk, County of Kauai transmitting 3 resolutions adopted by the Council of the County of Kauai: 1. Request for clarification of the delegation of powers to determine vehicle taxes (Section 249-2 and 249-13, HRS), 2. Request for reduction of the three months' limitation for voters' change of party preference and 3. Commending Renji Goto.

**Misc. Com. No. 107** from Frank F. Fasi, Mayor, City and County of Honolulu, transmitting a reply to **House Resolution Number 383**, which requested the fire chief to work with the Department of Land

and Natural Resources, Division of State Parks, to help prevent fire in areas surrounding Waahila Park.

**Misc. Com. No. 108** from Burt K. Tsuchiya, Secretary, Hawaii State Association of Counties transmitting a resolu-

tion adopted at its annual meeting, Requesting for greater consideration of zoning in real property tax assessment.

**Misc. Com. No. 109** from Harry Boranian, Director of Civil Service, submitting the information regarding shortage category classes during the 1973 calendar year.

**OFFICIAL RULES OF PROCEDURE ADOPTED  
BY THE HOUSE OF REPRESENTATIVES  
STATE OF HAWAII**

**SEVENTH STATE LEGISLATURE**

**PART I**

**RULE 1. ORGANIZING**

(1) When the specified time arrives for the first session of the House to be convened, the member from the First Representative District shall act as temporary presiding officer. The House will immediately thereafter elect a temporary Chairman who shall appoint a temporary Clerk and a Committee of not less than three members to immediately examine credentials of members elect. If upon said Committee's report it shall appear that a majority of the credentials are in order, the roll shall be called. The temporary Chairman shall then appoint a Committee of not less than three to wait upon a Justice of the Supreme Court or a Judge of a Circuit Court and request him to administer to the holders of such credentials, the oath of office as required by the Constitution of the State of Hawaii. After such oath shall have been duly administered the House shall proceed to organize by adopting Rules of Procedure followed by the election by resolution of a Speaker and Vice Speaker, and the Officers of the House, who shall be a Clerk, an Assistant Clerk, a Sergeant at Arms, and an Assistant Sergeant at Arms who shall take an oath for the faithful discharge of their duties. The Speaker and Vice Speaker shall retain their respective positions during the term for which they were elected to membership in the House, unless such tenure be terminated by action of the House; except that if they shall be re-elected to membership in the House for the succeeding term, they shall then retain their respective positions until the day preceding the opening day of the succeeding legislature. When the position of the Speaker is vacant, the Vice Speaker shall become Speaker for the remainder of the Speaker's term; or, if there be no Vice Speaker, then the Majority Leader and the Majority Floor Leader, in the order named, shall become Speaker for the remainder of such term.

(2) When the specified time arrives for the session of the House to be convened

subsequent to the organization of the House, the House shall be called to order by the Speaker who was elected for the term during which the session occurs.

(3) The members of the House belonging to the Majority Party shall designate a Majority Leader, a Majority Floor Leader and may designate one or more Assistant Majority Leaders and Assistant Majority Floor Leaders. The Majority Leader and Majority Floor Leader shall retain their respective positions during the term for which they were elected to membership in the House, unless such tenure be terminated by action of the members of the Majority Party in the House; except that if they shall be re-elected to membership in the House for the succeeding term, they shall then retain their respective positions until the day preceding the opening day of the succeeding legislature. The members of the House belonging to the Minority Party shall designate a Minority Leader, a Minority Floor Leader and may designate one or more Assistant Minority Floor Leaders. The Majority Leader, Majority Floor Leader, Minority Leader and the Minority Floor Leader shall, in addition to their regular powers and duties, assist the standing committees of the House as ex officio members without vote. The Assistant Majority Floor Leaders and the Assistant Minority Floor Leaders, if any shall be so designated, shall, in addition to their regular powers and duties, be assigned as voting members of specific standing committees of the House.

**RULE 2. MEETINGS**

(1) After the day of opening of the Legislature as prescribed by law, the House shall meet for the transaction of public business every day except Saturdays, Sundays, recognized holidays, any days in recess, and such other days as the House shall designate.

(2) The usual hour of meeting shall be as the House shall decide from time to time.

(3) Any session may be recessed by concurrent resolution adopted by a ma-

jority of the members to which each house is entitled.

### **RULE 3. ADJOURNMENTS**

(1) Meetings of the House may be adjourned at any time by vote. Unless otherwise specified in the motion, every adjournment shall be to the usual hour or meeting on the next following business day.

(2) A motion to adjourn is always in order, (except that one motion to adjourn shall not follow another such motion without intervening business) and shall be decided without debate. A motion to adjourn to a specified time, or sine die may be debated, but no one shall speak more than once on such motion.

### **RULE 4. QUORUM**

(1) A majority of the number of members to which the House is entitled shall constitute a quorum of such House, of which quorum a majority vote shall suffice, unless otherwise provided herein; but the final passage of a bill shall require the vote of a majority of all the members to which the House is entitled.

(2) A majority of less than a quorum shall have power to compel the attendance of absent members and to adjourn from day to day.

(3) When there shall be no quorum present at the hour of opening, the Speaker may declare the House adjourned.

(4) For the purpose of ascertaining whether there is a quorum present, the Speaker shall count the number of members present.

### **RULE 5. SALARY OF MEMBERS, OFFICERS AND EMPLOYEES**

Unless otherwise provided by law in accordance with Section 10 of Article III, the salary of each member of the House shall be Twelve Thousand Dollars a year and each member of the House of Representatives shall be paid his salary in installments of not less than once each month following his election to office for such time as he shall remain a member of the House.

The Speaker and Vice Speaker shall

receive no salary in addition to that fixed by law for members of the House of Representatives. Employees of the House who are hired for the session shall receive such compensation as the House shall fix by resolution. When once fixed, the pay of such employees shall not be changed except by resolution of the House or by the Speaker. Permanent and interim employees of the House shall receive such compensation as shall be authorized by the Speaker and their employment shall be at the discretion of the Speaker.

### **RULE 6. DUTIES AND POWERS OF THE SPEAKER**

It shall be the duty of the Speaker:

(1) To open the sittings of the House at the appointed hour by taking the chair and calling upon the chaplain to perform his duty;

(2) To maintain order and proper decorum in debate;

(3) To announce the business before the House in the order prescribed by the Rules;

(4) To receive and submit all matters brought properly before the House by the members, to call for votes upon the same, and announce the results;

(5) To consult and advise the Committees of the House and assist in their work as an ex officio member without vote;

(6) To receive all communications from other branches of the Government and present them to the House;

(7) To assign to each member a seat on the floor of the House of Representatives. It is provided, however, that until seats are so assigned, members of the House may occupy any vacant seat;

(8) To authenticate by his signature all acts of the House;

(9) To make known Rules of Order when so requested, and to decide all questions of order subject to an appeal to the House;

(10) To issue his warrant to carry into effect its orders in the arrest of offenders, and he may issue subpoena and subpoena duces tecum requiring the attendance of witnesses or the production of books, docu-

ments or other evidence in any matter pending before the House or any committee;

(11) To do and perform such other duties as may be required by law, by these Rules, and as may properly appertain to such office;

(12) In case of disturbance or disorderly conduct, or on motion duly adopted, the Speaker may have the House cleared of all persons except the members and officers;

(13) He shall not vote except on matters where the decision is reached by ballot or roll call, or to decide a tie vote taken by a show of hands or by rising;

(14) He shall, on receipt of the message of the Governor, or any executive communication, direct the different Committees of the House to consider subjects in such message;

(15) The Speaker shall have the right to name any member to perform the duties of the Chair where the Vice Speaker is not available to perform such duties, but such substitution shall not extend beyond an adjournment;

(16) The Speaker shall refer all bills to committees subject to an appeal to the House.

(17) The Speaker shall appoint the chairman and members of conference committees and shall give the chairman of the standing committees to which a matter has been referred primary consideration to serve as a member of such conference committees.

#### **RULE 7. THE VICE SPEAKER**

The Vice Speaker shall exercise all the duties and powers of the Speaker in his absence. The Vice Speaker shall consult and advise the standing committees of the House and assist in their work as an ex officio member without vote.

#### **RULE 8. SPEAKER PRO TEMPORE**

(1) In case the Speaker and Vice Speaker shall be absent at the Hour to which the House adjourned, the majority leader shall designate a member of the majority party present in the House who shall proceed until a Speaker pro tempore is elected.

(2) The Speaker pro tempore shall be invested with, and perform all the powers and duties of the Speaker.

#### **RULE 9. THE CLERK**

(1) The Clerk shall have charge of all the records of the House, and shall be responsible for the same. On no account shall he permit original documents to be withdrawn from his keeping unless ordered by the Speaker.

(2) He shall make a concise and complete memorandum of all petitions, motions, resolutions, amendments and other matters brought before the House, such memorandum shall state the nature of the said matter, and give the name of the introducer. Such memorandum shall be dated each day, and shall also give the number of the day of sitting. Such memoranda together with other matter ordered to be placed therein shall constitute the Journal. The Journal of each day shall be read the following day and shall be corrected or approved by vote of the House. Provided, however, that the House, by majority vote, may dispense with such reading.

(3) He shall read all bills, resolutions and other matter, if so required, to the House.

(4) He shall forward at once all letters, messages, communications or other matter to the proper parties, either directly or through a committee, as the case may be.

(5) He shall immediately deliver to the chairman of the appropriate committee all petitions, resolutions, bills or other matter duly referred to such committee.

(6) He shall prepare for the respective committees to which have been referred subjects contained in the message of the Governor, a memorandum of the subjects so referred.

(7) Whenever, in the absence of the Speaker and Vice Speaker, it shall devolve upon the Speaker pro tempore to sign any bill or other instrument requiring the signature of the Speaker, the Clerk shall attach to such bill or instrument a certificate setting forth that such Speaker pro tempore was duly elected.

(8) He shall draw such drafts on the

treasury for expenses of the session as shall be authorized by the House and approved by two of the following: The Speaker, Vice Speaker and the Chairman of the Committee on Legislative Management.

(9) He shall pay all such bills and accounts as shall be approved by any two of the three persons mentioned in (8) above.

(10) He shall note all questions of order with the decision thereon, and collect the same together and append them to the House Journal at the close of the session.

(11) He shall do and perform all other clerical duties and offices pertaining to the position of Clerk of the House as the House shall from time to time direct, and such as shall by law or these Rules, or rules hereafter adopted, be assigned to him.

#### **RULE 10. ASSISTANT CLERK**

The Assistant Clerk shall assist the Clerk in all duties charged to the Clerk. In addition, in the absence of the Clerk the Assistant Clerk shall perform all duties of the Clerk.

#### **RULE 11. CHAPLAIN**

A chaplain shall attend each day's sitting of the House, and open the same with prayers.

#### **RULE 12. THE SERGEANT-AT-ARMS**

(1) It shall be the duty of the Sergeant-at-Arms to attend the House on every day of meeting; to maintain order amongst those present as spectators; to give notice to the presiding officer of the attendance of any person with communications or otherwise; to attend upon committees if so requested; to serve all orders or process directed by the Speaker or House; to make all required arrests of members or other persons and to restrain the same in custody; to have charge of and responsibility for the postal requirements of the House, and generally to execute all the requirements of the Speaker of the House. The Sergeant-at-Arms shall keep the means of ingress and egress to and from the floor of the House clear at all times. He shall not permit anyone on the floor of the House Chamber except members of the House, authorized employees of the House, and guests of the House. He shall be

responsible for all property in the House Chamber. The symbol of his office shall be a badge worn by him while enforcing order.

(2) The Sergeant-at-Arms shall be responsible for and shall have the power to initiate all purchases to be made by the House by preparing a purchase order to be submitted to the Speaker for approval. Upon approval of the Speaker, such purchase order shall be submitted to the Committee on Legislative Management for purchasing.

#### **RULE 13. ASSISTANT SERGEANT-AT-ARMS**

The Assistant Sergeant-at-Arms shall assist the Sergeant-at-Arms in enforcing his duties. In addition, the Assistant Sergeant-at-Arms shall perform the duties of the Sergeant-at-Arms in his absence.

#### **RULE 14. RESPONSIBILITY OF OFFICERS AND EMPLOYEES**

All of the officers and employees of the House with the exception of committee staffs shall be directly answerable to the Speaker, and shall obey and perform all of his orders and directions, subject to revision by the House.

#### **RULE 15. COMMITTEES**

(1) There shall be five types of committees:

(a) **Standing Committees:** There shall be permanent standing committees to consider and report on bills, petitions, resolutions, budgets and any other matters referred to such committee.

(b) **Special Committees:** Special Committees shall be appointed for special or temporary purposes to consider and report on such special or temporary matters referred to it.

(c) **Committee of the Whole House:** Whenever the House decides to consider any matter as a committee consisting of the entire House membership, the House may resolve itself into a Committee of the Whole.

(d) **Conference Committees:** Conference Committees shall be appointed for the purpose of resolving differences between

the House and the Senate on any matters where the joint agreement of the House and Senate is required.

(e) **Committee on the Journal:** A Committee on the Journal shall be appointed to prepare, compile and bind the House Journal and to enter into contracts for printing and any other acts necessary to accomplish the purpose of printing the journal.

(2) All committees shall be subject to the orders of the House and shall faithfully carry out such orders.

(3) Twenty days after a bill has been referred to a Committee, the same may be recalled from such committee by the affirmative vote of one-third of the members to which the House is entitled.

#### **RULE 16. STANDING COMMITTEES**

(1) The standing committees of the House and the duties and functions of the Committees shall be as provided in PART II and as hereafter provided.

(2) The membership of each standing committee, including the designation of the chairman and vice-chairman shall be provided for by resolution, provided, however, that the composition of the committee shall be based on proportional representation between the majority and minority party members with the members of the majority party designating the chairman, vice-chairman and majority party members and the minority party designating the minority party members. The Speaker, Vice Speaker, majority and minority leaders, majority and minority floor leaders shall be ex officio members of each committee without vote.

(3) The Chairman of each standing committee shall call meetings, preside at all meetings, prepare and post the agenda for each meeting, and may appoint and discharge members of his staff. No person shall be appointed as a staff member of any committee unless such staff position is first authorized by a majority of the members to which the House is entitled. The Vice Chairman shall perform the duties of the Chairman in his absence.

(4) Where a bill is referred to two or more standing committees and a subsequent committee makes substantive changes to the bill, that committee chair-

man shall advise the chairman of the prior committee of the substantive changes made to the bill prior to the bill being reported to the floor.

(5) Meetings of committees shall be public unless otherwise determined by two-thirds of the entire membership of the committee. No committee shall sit during the time when the House is actually in session, except with the permission of the Speaker.

(6) The chairman of each standing committee shall keep a record of public hearings and shall file same with the State Archives, through the Speaker, as soon as practicable after each session.

#### **RULE 17. SPECIAL COMMITTEES**

(1) The Special Committee, its duties and functions shall be created by action of the House from time to time.

(2) Special Committees shall consist of not less than three members each, unless otherwise ordered by the House, to be appointed for special or temporary purposes and to serve until discharged or until finally reporting on such special or temporary matters referred to them.

(3) The meeting of the Special Committee shall be conducted in the same manner as provided for standing committees.

#### **RULE 18. COMMITTEE OF THE WHOLE**

(1) The House may from time to time resolve itself into a Committee of the Whole. Whenever any matter shall be referred to such Committee by the adoption of a motion to that effect, the House may at any time thereafter hold meetings as a Committee of the Whole.

(2) The Clerk of the House shall act as Clerk of the Committee of the Whole, without extra compensation and shall make a careful record of the proceedings of the Committee, which shall be filed as one of the records of the House.

(3) The Committee may, on motion, rise and ask leave to sit at any future time.

(4) The Rules of Procedure in the House shall be observed, excepting as follows:

(a) Any member may speak more than once on the same subject, provided that he shall not speak a second or further time until others desiring to speak have had an opportunity.

(b) The motion for the "previous question" shall not be allowed.

#### **RULE 19. CONFERENCE COMMITTEE**

(1) The Conference Committee, its duties and functions, is created by action of the House from time to time.

(2) Conference Committees shall consist of not less than three members each, unless otherwise ordered by the House, to be appointed for the express purpose of resolving the specific differences between the House and the Senate and to serve until discharged or until finally reporting on the matter referred to it.

(3) The meetings of the Conference Committee shall be conducted as agreed upon by the members of the Conference Committee.

#### **RULE 20. COMMITTEE ON THE JOURNAL**

(1) There shall be a Committee on the Journal consisting of the Speaker, Vice Speaker, Majority Leader, and Majority Floor Leader, whose duty it shall be to prepare, compile and bind the House Journal, and who shall be authorized to make contracts with any printer, publisher or bookbinder for the printing and binding of said Journal. The Clerk of the House shall act as Clerk of the Committee on the Journal. The Committee shall report from time to time to the House.

(2) The Committee may correct certain errors in all proper cases, and shall correct any mere clerical errors in the compilation of the Journal, such as errors in orthography or the use of one word for another as "affect" for "effect," "previous" for "previously" and the like. No corrections other than such as are authorized by this Rule shall be made at any time by the Clerk or his assistants, unless upon order of the Committee.

#### **RULE 21. COMMITTEE REPORTS**

(1) The Standing Committees shall report from time to time upon all matters

referred to them.

(2) Special Committees shall report within five days upon matters referred to them, unless further time is given by vote of the House.

(3) Reports from Standing and Special Committees shall be submitted with such copies as designated by the Speaker and the report shall be printed by the House and be furnished to each member.

(4) Whenever any matter shall be referred to a committee it shall be the duty of that committee to make diligent inquiry into all of the facts and circumstances connected with the matter. Witnesses may be summoned and examined; documents and records searched; and everything shall be done to bring all facts pertaining to said matter before the House.

(5) The report shall state findings of facts and conclusions based thereon, together with a distinct recommendation as to the disposal of that matter.

(6) A report recommending a bill for passage shall and must clearly state the legislative intent and purpose of such bill; and such report shall also contain a record of the votes cast by each committee member, for or against the recommendations as the case may be.

(7) A report upon a bill shall state clearly the amendments, if any, proposed. If a substitute bill, for one or more bills referred to the committee, shall be reported, such substitute bill shall agree with the subject of the bill or bills returned to the House.

(8) Whenever a committee shall be ordered to perform a particular service, the service shall be performed exactly according to the requirements.

(9) Whenever a committee fails to agree, the majority shall report and it shall be the report of the committee. The minority may report or simply note upon the report of the majority the words "I (or we) do not concur," signing their names.

(10) Reports from Conference Committees, and from the Committee on Legislative Management shall be in order at all times, and upon motion, messages from the Governor or from the Senate may be

received at any time; provided, that without unanimous consent such messages or reports shall not be in order for discussion when received, but shall be placed on the calendar as "Unfinished Business."

## **RULE 22. VOTING**

(1) There shall be five methods of ascertaining the decision of the House upon any matter:

First: By voice vote;

Second: By raising of hands;

Third: By rising;

Fourth: By call of the roll of members, and a record by the Clerk, of the vote of each;

Fifth: By unanimous consent.

(2) The first shall be the usual and ordinary method. Whenever the House shall be ready to vote on any question, the Speaker shall rise, and after stating the question, shall request all those in favor of the affirmative of the question to vote in a clear loud voice, "Aye". The Speaker shall then call upon all voting in the negative of the question to vote "No". The Speaker shall then announce the result to the House.

(3) If one-fifth of the members present shall doubt the result as announced, the Speaker shall again state the question and shall request all those in favor of the affirmative of the question to raise their hands. After the Clerk shall have counted the number voting in the affirmative, which he shall report to the Speaker, the Speaker shall then call upon all voting in the negative of the question to raise their hands. The Clerk shall count those, and state the number to the Speaker, who shall then announce the result to the House. If there be a tie vote, the Speaker shall cast the deciding vote. In all cases he shall declare the result of the vote.

(4) If one-fifth of the members present shall doubt the result as announced, the Speaker shall again state the question and call upon the members to vote by rising in their places, and they shall remain standing until counted, and the result shall be announced.

(5) Whenever one-fifth of the members present shall so request, the Clerk shall call the roll of members of the House. Each member when called, shall vote in a clear

loud voice, "Aye" if voting in the affirmative, or "No" if voting in the negative. The Clerk shall record each vote upon the Journal of the House. The Speaker shall announce the result.

(6) No member shall refrain from voting unless excused by the House; and the House shall have no power to excuse anyone from voting unless the member asking to be excused shall wholly fail to understand the question, and will not understand the effect and result of his vote if given.

(7) It is provided, however, that no one shall be permitted to vote upon any question in the result of which he shall have any pecuniary interest, or which will affect his right or title to a seat in the House, or wherein his official conduct shall be involved. Where any member may be in doubt as to whether he has an interest which would disqualify him from voting on any question, he shall stand and disclose such interest to the House, and thereupon the Speaker shall rule as to whether or not the member should disqualify himself from voting.

(8) Whenever the voting is by call of the roll of the members, no one, without unanimous consent, shall be permitted to explain his vote.

(9) After the announcement by the Speaker of the result, no one shall be allowed to vote or to change his vote.

(10) If any member refuses to vote after having been ordered to do so three times (which includes the "kanalua" response) his vote shall be recorded as upon the affirmative side of the particular question upon which he refuses to vote.

## **RULE 23. PETITIONS AND MEMORIALS**

(1) Any person may petition the House. Petitions and other memorials shall be in writing, signed by the petitioners.

(2) All petitions, memorials and other papers addressed to the House shall be presented by the Speaker, or by a member in his place and, if by a member, shall be endorsed with the name of the person presenting it, and the subject matter of the same.

(3) Every petition, memorial or other

paper shall be referred, as of course, by the Speaker, without putting a question for that purpose, unless the reference is objected to by a member at that time such petition, memorial or other paper is presented, in which event it shall be disposed of as the House shall direct.

#### **RULE 24. FORMS OF BILLS, RESOLUTIONS, MOTIONS AND AMENDMENTS**

(1) All bills and resolutions shall be typewritten with black ribbon in single space, or legibly duplicated in black ink upon paper which is 8½ inches wide by 11 inches long, and leaving a left margin of 1½ inches. Short form bills may be introduced. All bills and resolutions shall be dated and signed by the introducer in black ink.

(2) Every bill introduced or reported out of any committee, including but not limited to any standing, special or conference committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and any new matter added to the section or subsection shall be underscored.

(3) The Speaker may allow exceptions to Rule 24(2) at his discretion. No floor amendment to a bill shall be adopted unless a typewritten or printed copy of such amendment shall have been received by each member of the House present for consideration of such amendment.

#### **RULE 25. MOTIONS**

(1) No motion shall be received and considered by the House until the same shall have been seconded.

(2) After a motion is stated or ready by the Speaker, it shall be deemed in the possession of the House, and shall be disposed of by vote of the House. However, it may be withdrawn by the movant at any time before a decision or amendment.

(3) Whenever any question whatsoever shall be under discussion, the only motions relative thereto shall be:

- First: To lay on the table;
- Second: To postpone to a certain time;

- Third: To postpone indefinitely;
- Fourth: To commit;
- Fifth: To amend;

which motions shall have precedence in the order named.

(4) The first two motions shall be decided without debate and shall be put as soon as made.

(5) Whenever any of the first four motions mentioned above shall be decided in the negative, it shall not be revived the same calendar day in regard to the main question under discussion. If a motion to amend in a specific manner is defeated, it shall not be revived on the same calendar day.

#### **RULE 26. TIME LIMIT ON SPEAKING**

(1) No member shall speak longer than ten minutes or more than twice on the same question without leave of the House. However, the movant of the matter pending shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

(2) Where a member yields the floor to another member, his time shall continue to run, unless such yielding shall be to allow a specific question to be asked.

#### **RULE 27. INDEFINITE POSTPONEMENT**

When a question is postponed indefinitely, the same shall not be acted upon again during the regular or special session in which it was introduced.

#### **RULE 28. PREVIOUS QUESTION**

The object of the motion for the previous question is to end debate. It shall always be in order, except as otherwise provided herein. It shall require a two-thirds vote of the members present in the House at the time the motion is made to carry it. Whenever the motion shall be carried the movant of the main subject under discussion shall be permitted to close the debate, after which the main question, subject to the order of priority, shall be put; provided that said movant may delegate to another with right to close.

**RULE 29. RECONSIDERATION**

(1) When a motion has been made once and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move for a reconsideration thereof; but any member who voted with the majority may move to reconsider it on the same or succeeding day of the session, and such motion shall take precedence of all other questions except a motion to adjourn.

(2) When a motion for reconsideration has been decided, that vote shall not be reconsidered.

(3) When a bill, resolution or other matter upon which a vote has been taken shall have gone out of the possession of the House of Representatives, and has been communicated to the Senate, a motion to reconsider shall be accompanied by a motion to request the Senate to return the same, which last motion shall be acted upon at once without debate and, if determined in the negative, it shall be a final disposition of the motion to reconsider.

**RULE 30. FIRST READING**

(1) The first reading of a bill shall be by its title; and if opposition be made to it, the question shall be: "Shall this bill be rejected?" which question may be debated. But no one shall speak more than once upon such debate, except the introducer of the bill, who may close the discussion.

(2) If the question to reject be decided in the negative, the bill shall go to its second reading without question.

**RULE 31. SECOND READING**

On second reading, a bill may be read throughout or may, on motion, be read by title only. It shall then be subject to a motion to commit. If it is not referred to a Standing Committee, or to a Special Committee, but is ordered to be considered in Committee of the Whole, a day for such consideration shall be determined by the Chairman of such committee. When the bill shall be reported from Committee, it shall take its place in the order of business for future consideration.

**RULE 32. THIRD READING**

(1) No bill shall pass third or final reading in the House unless printed copies of the bill in the form to be passed have been made available to the members of the House for at least 24 hours. Form to be passed means the form in which a bill is to be either (a) passed on third reading in the House, (b) concurred to by the House after amendments have been made by the Senate, or (c) passed by the House after a conference committee has agreed upon it. The 24-hour period shall commence with the placement of a printed copy of the bill in the form to be passed upon the desk of each member, as reported from the last committee to which the bill has been referred, upon the convening of, or during, each day's session. In the event that a bill is amended on the floor of the House, the 24-hour period for a bill shall commence at the time printed copies of the bill in the form to be passed are placed upon the desk of each member of the House. In each instance, the time that a bill shall be made available as an aforesaid shall be duly entered in the House Journal by the Clerk.

(2) A bill on its third or final reading may be read by its title only and the Speaker shall then ask the House, "Shall this bill pass its third reading?" or "Shall this bill pass its final reading?" as the case may be. Such bill may be amended or recommended on its third reading. Upon the final passage of any bill, the Ayes and Noes shall be called and such passage shall require the affirmative vote of a majority of all the members to which the House is entitled. The vote upon final reading shall be upon a motion that the bill pass third reading, rather than upon adoption of a committee report, so that amendments to the bill may be offered at third reading and voted upon.

**RULE 33. BILLS PROPERTY OF THE HOUSE**

All bills introduced in the House shall be deemed the property of the House, and under its control until they shall become law, subject to the right of the Senate to amend or refuse to agree to the same. Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that if such bill shall have passed third reading

in the House in an odd-numbered session, it shall again be placed in the third reading file and pass at least one reading in the House in the next regular session upon its return to the House from the Senate.

#### **RULE 34. PASSED BILLS CERTIFIED**

(1) When a bill shall pass, it shall be certified by the Speaker and by the Clerk, noting the day of its passage at the foot thereof.

(2) When a bill originating in the House passes its third reading or when a bill received from the Senate is amended and passes its third reading in the House, or when a carry over bill from an odd year session originating in the Senate passes its third reading in the House in an even year session, such bill or such amended bill, shall immediately be certified by the Speaker and by the Clerk and sent to the Senate.

#### **RULE 35. GENERAL RULES**

(1) Bills which pass first reading may be immediately sent to printing and after printing and circulation, referred to the various committees. After consideration and report by the committees, the bills shall be returned to the Clerk of the House and thereafter placed in the second reading file. When the time arrives for consideration, they shall be considered in the order in which they appear on file.

(2) Bills which pass second reading shall be arranged in the order of their passage, irrespective of the date of reference to committee, or of the committee report, and shall be in order for consideration on third reading as arranged. A list shall be made in such order to be called the third reading file, providing that whenever the third reading of any bill is set for any particular date, such bill shall be omitted from the general file.

(3) Bills which shall carry over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the House at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next regular session. The Clerk shall accept bills to be pre-filed within ten days before

the commencement of the regular session in the even-numbered year.

(4) Resolutions, except congratulatory resolutions, before being placed on the calendar for adoption shall be printed and circulated to the members of the House, unless otherwise ordered by the House.

(5) Resolutions or other matters on which consideration is not had and complete at the time of introduction into the House, if not ordered for consideration at a stated date, shall be placed upon the general file in the order of consideration with bills.

#### **RULE 36. SPECIAL FILES**

(1) All bills and other matters set for consideration upon particular dates shall be arranged in the order, by date, when such assignments were made.

(2) A list shall be made of such special orders and when the time for consideration arrives, such bills shall be considered in the order of assignment. If an adjournment shall be had before all such special orders are disposed of, the remainder shall go over and come up under the head of "Unfinished Business" on the following day, unless otherwise ordered.

#### **RULE 37. DEBATE, ORDER, DECORUM, PUNISHMENT**

(1) No person shall sit at the desk of the Speaker or Clerk, except by permission of the Speaker.

(2) While the Speaker is putting any question or addressing the House, no one shall walk out of the room or across the floor, nor in any such case or, when a member is speaking shall entertain a private discourse, nor, while a member is speaking shall pass between him and the Chair.

(3) If any member shall conduct himself in a disorderly manner during any session of the House, the Speaker shall order such member to keep his seat and preserve the peace; and, if he shall then persist in his disorderly conduct the Speaker shall order the Sergeant-at-Arms to remove him from the House and he shall not be permitted to take his seat during the remainder of the day's session, except upon a pledge given by him to the House of good

behavior.

(4) When any member is about to speak, he shall rise from his seat and address himself to the Speaker, to wit: "Mr. Speaker," and when recognized, he shall face the Speaker, confine himself to the question under debate and avoid personalities.

(5) If any member in speaking or otherwise transgresses the Rule of the House, the Speaker, or any member, may call him to order, and the member so called to order shall immediately sit down. The Speaker shall then decide the question of order without debate, subject to an appeal to the House. The Speaker may call for the sense of the House on any question of order.

(6) Whenever any person shall be called to order while speaking, he shall be deemed to be in possession of the floor when the question of order is decided, and may proceed with the matter under discussion.

(7) If any member be called to order for words spoken in debate, upon his demand or on that of any other member, the words objected to shall be taken down in writing and noted by the Clerk and, if required, shall be read for the information of the House.

(8) No member or officer shall smoke within the hall of the House during any of the sessions of the House, except by permission of the Speaker.

(9) The House may punish its members for disorderly behavior or neglect of duty by censure. The House may also, by a two-thirds vote of the total membership of the House, suspend or expel a member.

(10) The House may punish by fine, or by imprisonment not exceeding thirty days, any person not a member thereof who shall be guilty of disrespect of the House by any disorderly or contemptuous behavior in its presence or that of any committee thereof; or who shall, on account of the exercise of any legislator's function, threaten harm to the body or estate of any member of the House; or who shall assault, arrest or detain any witness. But the person charged with the offense shall be informed, in writing, of the charge made against him and have an opportunity to present evi-

dence and be heard in his own defense.

#### **RULE 37-A. DISCLOSURES AND PUNISHMENT OF MEMBERS**

(1) At the times and in the manner prescribed by law for the filing of disclosures of financial interest and any deletion, addition, transfer or termination thereof with the Ethics Commission of the State of Hawaii, each member shall file a copy of such disclosure of financial interest and any deletion, addition, transfer or termination thereof with the Speaker.

(2) If a matter of legislative action shall arise before a member has had the opportunity to comply with the filing requirements of this Rule and if the matter of legislative action be such as to affect the member's undisclosed interest, the member shall, before voting on such legislative matter, make oral disclosure of his interest to be followed by a written disclosure according to law.

(3) Any member who has filed a disclosure as required by this Rule need not make a further oral disclosure on the House floor of any interest so filed.

(4) All disclosures filed with the Speaker shall be reasonably available for examination by the public under standard procedures prescribed by the Speaker.

(5) The Speaker may under the provisions of Rule 15(1)(b) appoint a special committee to investigate a member for misconduct, disorderly conduct, neglect of any duty or violation of Chapter 84 H. R. S. or Rules of the House, and the House may punish a member for misconduct, disorderly conduct, neglect of any duty or violation of Chapter 84 H. R. S. or its Rules by censure or, by a two-thirds vote, suspend or expel a member.

#### **RULE 38. ORDER OF BUSINESS**

After prayer, the daily order of business shall be as follows:

(1) Roll Call;

(2) Reading and approval of the Journal unless the House by motion dispenses with such reading;

(3) Messages from the Governor;

(4) Reports and Communications from the heads of departments (or matters whereon information has been requested or for information); and miscellaneous communications;

(5) Bills, resolutions and other matters from the Senate shall be reported to the House of Representatives to be placed on the calendar;

(6) The Order of the Day, including Third and Second Readings of House Bills;

(7) Reports of Standing Committees;

(8) Reports of Select Committees;

(9) Petitions, Memorials, and Communications;

(10) Resolutions and Introduction of Bills;

(11) Unfinished Business, upon which the House was engaged at the time of its last adjournment;

(12) Any miscellaneous business on the Speaker's table;

(13) Announcements

#### **RULE 39. SPECIAL ORDERS**

The House may, by previous motion, direct that any matter named shall be made a special order of business and that such special order shall take precedence of all business after the fourth order or that it shall take any other position lower down on the calendar.

#### **RULE 40. PREFERENCE OF BUSINESS**

The unfinished business in which the House was engaged at the time of the last adjournment shall have the preference in the Orders of the Day; and no motion or any other business shall be received without special leave of the House until the former is disposed of.

#### **RULE 41. QUESTION OF PRIORITY**

All questions relating to the priority of business to be acted upon shall be decided without debate.

#### **RULE 42. QUESTIONS OF ORDER**

A question of order may be raised at any stage of the proceedings, except during the calling of the roll when the Ayes and Noes are called for. Unless submitted to the House such question shall be decided without debate by the presiding officer, subject to an appeal to the House. Laying such appeal on the table shall be held as sustaining the ruling of the presiding officer.

#### **RULE 43. ATTENDANCE**

No member shall absent himself from the service of the House unless he has leave of the House, or be sick and unable to attend.

#### **RULE 44. REPORTERS**

Stenographers and members of the press wishing to take down the debates or report the proceedings of the House may be admitted to the House by the Speaker. The Speaker shall assign such persons a place and facilities which will not interfere with the operation of the House.

#### **RULE 45. NEW RULES**

No Rule of the House shall be altered or rescinded, nor shall any new rule be adopted without a day's notice being given of the motion therefor. All alterations, recisions, and new rules shall be adopted by a two-thirds ( $\frac{2}{3}$ ) vote of the total membership of the House.

#### **RULE 46. SUSPENSION OF RULES**

No Rule of the House shall be suspended unless by the affirmative vote of a two-thirds ( $\frac{2}{3}$ ) vote of the total membership of the House.

#### **RULE 47. WHEN RULES SILENT**

The rules of parliamentary practice of Cushing's Manual of Parliamentary Practice as set forth in the New Revised Edition (1961) by Paul E. Lowe, and as practiced in the House of Representatives of the United States, where not inconsistent with these rules, shall govern the House.

#### **RULE 48. INVENTORY**

An inventory of all property belonging

to the House shall be made by the Clerk with the assistance of the Inventory Clerk and the Sergeant-at-arms and a certified list filed with the Journal Committee. Receipt from the Superintendent of Public Works shall be taken of all property submitted to his care to be turned over to a future House.

#### **RULE 49. WITNESS FEES**

Any witness subpoenaed to appear before the House or any of its Committees shall be paid the same witness fees and the mileage as allowed by the Circuit Courts of the State.

#### **RULE 50. PAPERS**

The several committees of the House shall, within the day of the final adjournment of the House, deliver to the Clerk of the House all bills, resolutions, petitions, and other papers referred to the committee, together with all evidence taken by such committee, and in the event of the failure or neglect of a committee to comply with this Rule, the Clerk of the House shall report such delinquency to the Speaker.

#### **RULE 50 (A). ISSUANCE OF SUBPOENA AND ADMINISTERING OF OATH**

(1) The Speaker or other presiding officer of the House; the chairman or acting chairman of any joint committee established by a concurrent resolution of the Senate and the House, or a committee of the whole, or of any committee of the House, to take testimony of other evidence, may issue subpoenas requiring the attendance of witnesses or the production of books, documents or other evidence in any matter pending before the House or committee.

(2) The Speaker or a chairman, or acting chairman of any joint committee established by a concurrent resolution of the Senate and the House, or of the committee of the whole, or of any committee of the House, may administer oaths to witnesses in any case under their examination. Any member of the House may administer oaths to witnesses in any matter pending in the House or any committee of the House.

### **PART II**

#### **RULE 51. STANDING COMMITTEES**

Standing Committees shall be created by resolution for each major subject matter area at the opening of the session, or as soon thereafter as possible, to serve during the Seventh legislative session. The major subject matter areas and the Standing Committees therein shall be as follows:

##### **EDUCATION AND CULTURE**

This major subject matter area covers those programs which are intended to promote intellectual development and cultural enrichment of the community. The Standing Committees for this major subject matter area shall be:

(1) **Committee on Education**, whose scope shall be those programs relating to lower education, continuing education, public libraries, culture and the arts.

(2) **Committee on Higher Education**, whose scope shall be those programs relating to the University of Hawaii and the community colleges.

##### **HUMAN RESOURCES**

This major subject matter area covers those programs which are intended to insure adequate income, housing, public defense, and physical and mental health of the people. The Standing Committees for this major subject matter area shall be:

(3) **Committee on Public Welfare and Assistance**, whose scope shall be those programs relating to financial assistance, vocational rehabilitation, and social welfare services.

(4) **Committee on Housing**, whose scope shall be those programs relating to housing.

(5) **Committee on Health**, whose scope shall be those programs relating to general health, maternal and child care, communicable diseases, dental health, medical and hospital services, mental health, mental retardation and hospitals.

(6) **Committee on Military and Civil Defense**, whose scope shall be those programs relating to military and civil defense.

### ECONOMIC DEVELOPMENT

This major subject matter area covers those programs which are intended to insure employment for individuals and families and to encourage the economic development and growth of the State. The Standing Committees for this major subject matter area shall be:

(7) **Committee on Water, Land Use and Development**, whose scope shall be those programs relating to land and water resources and use, marine resource development, industrial and product promotion, new industry development, and financial and technical assistance to business.

(8) **Committee on Tourism**, whose scope shall be those programs relating to tourism.

(9) **Committee on Agriculture**, whose scope shall be those programs relating to agriculture.

(10) **Committee on Labor and Employment**, whose scope shall be those programs relating to employment opportunities and labor-management relations.

### HUMAN RIGHTS AND JUSTICE

This major subject matter area covers those programs which are intended to safeguard individual and property rights, protect consumers from fraudulent and deceptive practices, promote public safety, and improve the conduct of business affairs. The Standing Committees for this major subject matter area shall be:

(11) **Committee on Judiciary**, whose scope shall be those programs relating to courts, crime prevention and control, criminal code revision, business and trade regulation, regulation of financial institutions, insurance regulation, and professional and occupational regulation.

(12) **Committee on Consumer Protection**, whose scope shall be those programs relating to consumer protection.

(13) **Committee on Human Rights**, whose scope shall be those programs relating to individual rights and civil liberties.

(14) **Committee on Corrections and Rehabilitation**, whose scope shall be those programs relating to public institutions

on corrections and rehabilitation.

### ENVIRONMENT AND RECREATION

This major subject matter area covers those programs which are intended to promote conditions which enhance ecological balance, safeguard the environment, conserve natural resources, and provide recreational opportunities. The Standing Committees for this major subject matter area shall be:

(15) **Committee on Parks, Fish and Game Management**, whose scope shall be those programs relating to outdoor recreation, State parks and historic sites development and protection, and fish and game management.

(16) **Committee on Environmental Protection**, whose scope shall be those programs relating to environmental quality control and protection, and environmental health.

### GOVERNMENT OPERATIONS

This major subject matter area covers those programs which are intended to promote government efficiency and improved employment conditions for government employees. The Standing Committee for this major subject matter area shall be:

(17) **Committee on Public Employment**, whose scope shall be those programs relating to government operations and efficiency, employee pay and benefits, employee recruitment, classification and training, career development, employee performance, employment conditions, standards of conduct for public employees, and collective bargaining.

### TRANSPORTATION

This major subject matter area covers those programs which are intended to facilitate the physical movement of people and goods into and from the State and from place to place within the State. The Standing Committee for this major subject matter area shall be:

(18) **Committee on Transportation**, whose scope shall be those programs relating to air, water and surface transportation.

## FINANCIAL PLANNING AND MANAGEMENT

This major subject matter area covers those programs which are intended to produce the efficient, effective, economical and equitable acquisition and utilization of financial resources. The Standing Committee for this major subject matter area shall be:

(19) **Committee on Finance**, whose scope shall be those programs relating to overall State financing policies, including taxation and other revenues and cash and debt management, and statewide implementation of planning, programming, budgeting and evaluation.

## INTERGOVERNMENTAL RELATIONS

This major subject matter area covers those programs which are intended to promote effective cooperation and coordination among the various levels of government. The Standing Committees for this major subject matter area shall be:

(20) **Select Committee of Hawaii Representatives**, whose scope shall be those programs relating to matters of primary concern to the County of Hawaii.

(21) **Select Committee of Kauai Representatives**, whose scope shall be those programs relating to matters of primary concern to the County of Kauai.

(22) **Select Committee of Maui Representatives**, whose scope shall be those programs relating to matters of primary concern to the County of Maui.

(23) **Select Committee of Oahu Representatives**, whose scope shall be those programs relating to matters of primary concern to the County of Oahu.

(24) **Committee on Federal, State and County Relations**, whose scope shall be those programs relating to relations among federal, state and county governments.

## LEGISLATIVE MANAGEMENT

This major subject area covers those programs which are intended to provide the administrative supervision of accounting and printing services. The Standing Committee for this major subject matter area shall be:

(25) **Committee on Legislative Management**, whose scope shall be those programs relating to supervision of accounting and printing services, control of the expenses of the House in accordance with the appropriations acts providing for such expenses, and auditing and settling of all accounts which may be charged to the expenses of the House.

## RULE 52. STANDING COMMITTEES: GENERAL RESPONSIBILITY

It shall be the duty of each standing committee to conduct systematic review of those portions of the State budget, program and financial plans, and variance reports dealing with, and to consider all laws, bills, resolutions, petitions, reports and other matters relating to those programs over which the committee has responsibility.

It shall examine such portions of the executive budget, the General Appropriations Bill and the Supplemental Appropriations Bill relating to the programs over which it has responsibility, and it shall recommend the programs and the levels of program expenditure to be included in the General Appropriations Bill or Supplemental Appropriations Bill. The level of expenditure, in the aggregate, for any program area shall be consistent with the expenditure allocation established for that program area by the Standing Committee on Finance, which shall make the final recommendation to the House.

On other bills referred to it by the House, the committee shall determine the objectives, make program recommendations and, where appropriate, make expenditure recommendations. For those bills which require appropriations, the committee shall make expenditure recommendations consistent with the expenditure allocations established for the bills by the Standing Committee on Finance, which shall make the final recommendation to the House.

It shall also be the duty of each standing committee to review the implementation of those programs over which the committee has responsibility. In its review, it shall determine the extent to which program objectives are being accomplished and legislative policies executed, recommend the study of program issues and the conduct of program analysis. It shall recommend amendments to appropriation acts

and such policies as may be appropriate to improve the planning, programming, budgeting, implementation and evaluation of programs to the Standing Committee on Finance, which shall make the final recommendation to the House.

**RULE 53. COMMITTEE ON FINANCE: SPECIAL RESPONSIBILITY**

It shall be the duty of the Committee on Finance, in considering the General Appropriations Bill or the Supplemental Appropriations Bill, to determine for each fiscal year of the biennium the appropriate level of total expenditures and the level of expenditures for program areas. The committee shall inform each standing committee of the allocations made to each program area over which the standing committee is responsible for budget and program review. The Committee on Finance shall receive the program expenditure recommendations of the standing committee and shall review the recommendations to determine that, in the aggregate, the expenditure recommendations are consistent with the allocations made to the program area. In determining the allocation to be made to a program area and in reviewing the recommendations of the standing committee, the Committee on Finance shall invite the participation of the chairman of the standing committee responsible for the program area. After review of the recommendations of the standing committees, the Committee on Finance shall be responsible for preparing the General Appropriations Bill or the Supplemental Appropriations Bill in a form appropriate for consideration by the House.

It shall be the duty of the Committee on Finance to inform the Select Committees of the various counties of the amount and type of financial resources available for the General Improvements Bill, which shall include capital improvement appropriations other than those included in the General Appropriations Bill or Supplemental Appropriations Bill. It shall review

the recommendations of the Select committees of the various counties to mine that the recommendations are sistent with the resources available it shall prepare the General Improve Bill in a form appropriate for consid: by the House.

In all other bills requiring appropria it shall be the duty of the Committ Finance to inform the standing com responsible for the program area to the appropriation relates of the ar and type of financial resources avai and it shall review the expenditure r mendation of the standing committ determine that the recommendation is sistent with the resources availabl determining the amount and type sources available for a bill requiri appropriation and in reviewing th penditure recommendation of the sta committee, the Committee on Fi shall invite the participation of the man of the standing committee respo for the program area to which th appropriation relates.

**RULE 54. SELECT COMMITTEES OF THE VARIOUS COUNTIES: SPECIAL RESPONSIBILITY**

It shall be the duty of the Select committees of the various counties to cor and recommend to the Committee o nance the General Improvements which shall include capital improve appropriations other than those inc in the General Appropriations Bill or plemental Appropriations Bill.

**RULE 55.**

The Official Rules of Procedure Ad by the House of Representatives, of Hawaii, Seventh State Legislatu set forth above, shall remain in until superseded by the Rules of the I of the Eighth Legislature of the Sta Hawaii; provided, that the Rules m amended by a two-thirds ( $\frac{2}{3}$ ) vote c members to which the House is entitk