

## TWENTY-FOURTH DAY

Tuesday, February 19, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Michio Oyakawa, Pastor of Manoa Valley Church, after which the Roll was called showing all members present with the exception of Representatives Fong, Kato and Wakatsuki who were excused.

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

Representative Ajifu here rose on a point of information and inquired:

"Do you have any business listed under Unfinished Business?"

The Chair responded:

"We have a supplemental calendar coming out. Let's take a look at it."

Representative Ajifu again rose and stated:

"Mr. Speaker, I would object to the suspension of the reading of the Journal if I don't know what is on the pending business. I would object to that motion that would be forthcoming, Mr. Speaker. Therefore, I would like to know if there is any pending business under Unfinished Business."

The Chair inquired of the Clerk as to Unfinished Business, whereupon the Clerk stated:

"Under an appropriate Order of the Day under Unfinished Business, we may take up the matter that the Representative is referring to."

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Third Day was approved.

### GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 52) transmitting copies of a report prepared by the University of Hawaii in response to Senate Resolution No. 299 relating to the Hawaii Employers Recruiting and Training Services, was read by the Clerk and was placed on file.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 6 and 7) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com.

No. 6) transmitting Senate Concurrent Resolution No. 19 extending congratulations and commendation to the student observers for their active participation and interest in governmental affairs which was adopted by the Senate on February 19, 1974, was placed on file.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, S. C. R. No. 19 was adopted.

A communication from the Senate (Sen. Com. No. 7) transmitting Senate Concurrent Resolution No. 20 wishing Edward DeMello a speedy recovery and a timely return to the halls of the State Capitol which was adopted by the Senate on February 19, 1974, was placed on file.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, S. C. R. No. 20 was adopted.

At 11:35 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:15 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Fong, Kato and Wakatsuki.

### ORDER OF THE DAY

#### COMMITTEE REFERRALS

The following bills (H. R. Nos. 2547-74 to 2566-74) were disposed of as follows:

H. B. No.	Referred to:
2547-74	Committee on Environmental Protection
2548-74	Committee on Judiciary and Corrections
2549-74	Committee on Labor and Public Employment, then to the Committee on Finance
2550-74	Committee on Labor and Public Employment, then to the Committee on Finance
2551-74	Committee on Finance
2552-74	Committee on Finance
2553-74	Committee on Consumer Protection
2554-74	Committee on Consumer Protection, then to the Committee on Finance
2555-74	Committee on Transportation
2556-74	Committee on Transportation, then to the Committee on Finance
2557-74	Committee on Water, Land Use and Development, then to the Committee

	on Finance
2558-74	Committee on Tourism, then to the Committee on Federal-State-County
2559-74	Committee on Finance
2560-74	Committee on Finance
2561-74	Committee on Finance
2562-74	Committee on Finance
2563-74	Committee on Finance
2564-74	Committee on Higher Education
2565-74	Committee on Higher Education, then to the Committee on Finance
2566-74	Committee on Education, then to the Committee on Finance

**DEFERRED RESOLUTIONS**

The following resolutions (H. R. Nos. 213 to 215) were disposed of as follows:

H. R. Nos.	Referred to:
213	Jointly to the Committees on Legislative Management and Finance
214	Committee on Federal-State-County
215	Committee on Education, then to the Committee on Finance

**COMMITTEE REASSIGNMENTS**

By unanimous consent, the following bills were re-referred as follows:

H. B. Nos.	Re-referred to:
816	Committee on Housing, then to the Committee on Finance
1131	Committee on Consumer Protection, then to the Committee on Finance
1149	Committee on Consumer Protection, then to the Committee on Finance
1150	Committee on Consumer Protection, then to the Committee on Finance
1384	Jointly to the Committees on Consumer Protection and Judiciary and Corrections
1971	Committee on Consumer Protection, then to the Committee on Finance
14	Committee on Consumer Protection
32	Committee on Consumer Protection, then to the Committee on Finance

63	Committee on Consumer Protection
81	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections
181	Committee on Consumer Protection
231	Committee on Public Health and Welfare
235	Committee on Consumer Protection, then to the Committee on Finance
298	Committee on Consumer Protection
302	Committee on Consumer Protection
303	Committee on Consumer Protection
310	Committee on Consumer Protection, then to the Committee on Finance
312	Committee on Consumer Protection
342	Committee on Public Health and Welfare
483	Committee on Consumer Protection
521	Committee on Consumer Protection
546	Committee on Consumer Protection
547	Committee on Public Health and Welfare
560	Committee on Consumer Protection, then to the Committee on Finance
605	Committee on Housing, then to the Committee on Finance
621	Committee on Consumer Protection
636	Committee on Water, Land Use and Development
728	Committee on Labor and Public Employment, then to the Committee on Consumer Protection
813	Committee on Consumer Protection
857	Committee on Consumer Protection
878	Committee on Consumer Protection
899	Committee on Finance
903	Committee on Consumer Protection
921	Committee on Consumer Protection
965	Committee on Consumer Protection, then to the Committee on Finance
971	Committee on Consumer Protection

1042	Committee on Consumer Protection	1901	Special Committee on Energy, then to the Committee on Finance
1068	Committee on Consumer Protection	1902	Committee on Finance
1095	Committee on Consumer Protection	1903	Committee on Finance
1146	Committee on Consumer Protection, then to the Committee on Finance	1914	Committee on Environmental Protection, then to the Committee on Water, Land Use and Development, then to the Committee on Finance
1179	Committee on Consumer Protection	1929	Committee on Labor and Public Employment, then to the Committee on Consumer Protection
1203	Committee on Consumer Protection	1932	Committee on Consumer Protection
1210	Committee on Housing	1947	Committee on Consumer Protection
1223	Committee on Consumer Protection	1949	Committee on Transportation, then to the Committee on Finance
1241	Committee on Public Health and Welfare	1966	Committee on Consumer Protection
1242	Committee on Consumer Protection	1969	Committee on Education
1275	Committee on Water, Land Use and Development	1991	Committee on Federal-State-County, then to the Committee on Judiciary and Corrections
1423	Committee on Consumer Protection	2040	Committee on Consumer Protection
1424	Committee on Consumer Protection	2101-74	Committee on Housing, then to the Committee on Finance
1425	Committee on Consumer Protection		
1426	Committee on Consumer Protection		
1481	Committee on Labor and Public Employment, then to the Committee on Consumer Protection		
1509	Committee on Consumer Protection		
1734	Committee on Consumer Protection		
1748	Committee on Consumer Protection		
1768	Committee on Consumer Protection		
1800	Committee on Consumer Protection		
1832	Committee on Consumer Protection		
1840	Committee on Consumer Protection, then to the Committee on Finance		
1846	Committee on Consumer Protection		
1854	Committee on Consumer Protection		
1855	Committee on Consumer Protection		
1857	Committee on Consumer Protection		
1859	Committee on Consumer Protection		
1892	Committee on Housing, then to the Committee on Finance		
1899	Special Committee on Energy, then to the Committee on Finance		

**S. B. No.                      Re-referred to:**

816	Committee on Consumer Protection
1269	Committee on Water, Land Use and Development, then to the Committee on Judiciary and Corrections

**H. C. R. No.                      Re-referred to:**

9	Committee on Water, Land Use and Development
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**STANDING COMMITTEE REPORTS**

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 33-74) informing the House that House Bill Nos. 2547-74 to 2566-74, House Resolution Nos. 212 to 215, and Standing Committee Report Nos. 34-74 and 35-74 had been printed and distributed.

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

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 34-74) recommending that H. B. No. 193, H. D. 1 be referred to the Committee on Finance.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and **H. B. No. 193, H. D. 1** was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 35-74**) recommending that **H. B. No. 2362-74** pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, consideration of **H. B. No. 2362-74**, as amended, was deferred until tomorrow, February 20, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 36-74**) recommending that **H. B. No. 2216-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 2216-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 20, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 37-74**) recommending that **H. B. No. 2217-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 2217-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 20, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 38-74**) recommending that **H. B. No. 2179-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 2179-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 20, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 39-74**) recommending that **H. B. No. 2180-74** pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 2180-74**, as amended, passed Second Reading and

was placed on the calendar for Third Reading tomorrow, February 20, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 40-74**) recommending that **H. B. No. 2220-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 2220-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 20, 1974.

At 1:18 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 1:20 o'clock p.m., the House of Representatives reconvened.

Representative Akizaki, for the Committee on Legislative Management which has reviewed two reports entitled: "Auditor's Report For the Eleven Months ended October 31, 1973" and "Report on Internal Control and Accounting Procedures For the Eleven Months ended October 31, 1973," presented a report (**Stand. Com. Rep. No. 41-74**).

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

The Chair directed the Clerk to note that printed copies of **H. B. Nos. 2216-74, 2217-74, 2179-74, 2180-74, H. D. 1** and **2220-74** were made available to the members of the House at 11:50 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolution (**H. R. No. 216**) and concurrent resolution (**H. C. R. No. 26**) were read by the Clerk and were disposed of as follows:

A resolution (**H. R. No. 216**) extending congratulations to the Leilehua "Mules" for excellence in the Oahu Interscholastic Association Golf Competition was jointly offered by Representatives Lunasco, 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, 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 Lunasco, seconded by Representative Oda and carried, **H. R. No. 216** was adopted.

A concurrent resolution (**H. C. R. No. 26**) extending congratulations and commendation to the student observers for their active participation and interest in governmental affairs 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 Kihano, seconded by Representative Ushijima and carried, H. C. R. No. 26 was adopted.

By unanimous consent, the following resolutions (H. R. Nos. 217 to 226) and concurrent resolutions (H. C. R. Nos. 27 and 28) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, February 20, 1974:

A resolution (H. R. No. 217) requesting that an expedient way to handle abandoned vehicles be formulated was jointly offered by Representatives Lunasco, Cobb, R. Garcia, Kato, Kihano, Kishinami, Kondo, Roehrig, Sakima, Takamine, Yim and Young.

A resolution (H. R. No. 218) requesting the Department of Land and Natural Resources to conduct a feasibility study on creating a park in the Pearl City area was jointly offered by Representatives Kishinami, Akizaki, de la Cruz, Kawakami, Kihano, Kimura, Kondo, Kunimura, Medina, Morioka, Sakima, Suwa, Ushijima, Wakatsuki, Wedemeyer and Young.

A resolution (H. R. No. 219) requesting the Department of Land and Natural Resources to conduct a feasibility and cost study for an irrigation system for taro growing in Hanalei Valley, Kauai was jointly offered by Representatives Kawakami, Akizaki, A. Chong, King, Kishinami, Sakima and Ushijima.

A resolution (H. R. No. 220) relating to the expansion of the work-study program at the University of Hawaii was jointly offered by Representatives Sakima, Akizaki, A. Chong, R. Garcia, Kawakami, Kihano, Kishinami and Young.

A resolution (H. R. No. 221) requesting the Civil Aeronautics Board to prohibit interstate airlines' security charge beyond the cost of security service was jointly offered by Representatives Medina, Iha, Kihano, Ushijima, Wedemeyer and Beppu.

A resolution (H. R. No. 222) requesting that the disregard income policy be reinstated was offered by Representative R. Garcia.

A resolution (H. R. No. 223) relating to the utilization of school offices as police substations during nonschool hours was jointly offered by Representatives Nakama, Aduja, Ajifu, Aki, Akizaki, Carroll, A. Chong, W. Chong, de la

Cruz, Fong, J. Garcia, Hapai, Iha, Kawakami, Kihano, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Oda, Poepoe, Roehrig, Sakima, Soares, Suwa, Takamine, Uechi, Wedemeyer, Wong, Yap, Yim, Young and Yuen.

A resolution (H. R. No. 224) requesting that a partial flat grant policy be established for general assistance was offered by Representative R. Garcia.

A resolution (H. R. No. 225) requesting the legislative auditor to immediately contract for an independent audit of all expenditures of the House of Representatives under the appropriations of Act 1, Session Laws of Hawaii 1973 was jointly offered by Representatives Ajifu, Aduja, Aki, Amaral, Carroll, W. Chong, Cobb, J. Garcia, Leopold, Medeiros, Oda, Soares, Wong, Yim and Yuen.

A resolution (H. R. No. 226) requesting the immediate release of the detailed audit of all expenditures of the House of Representatives was jointly offered by Representatives Cobb and Ajifu.

A concurrent resolution (H. C. R. No. 27) requesting that the disregard income policy be reinstated was offered by Representative R. Garcia.

A concurrent resolution (H. C. R. No. 28) requesting that a partial flat grant policy be established for general assistance was offered by Representative R. Garcia.

#### INTRODUCTION OF BILLS

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the following bills (H. B. Nos. 2567-74 to 2583-74) passed First Reading by title and were referred to the Committee on Legislative Management:

#### H. B. No.

2567-74 "A Bill for an Act relating to disposition by counties of certain abandoned vehicles."

Introduced by: Representatives Lunasco, Cobb, R. Garcia, Kato, Kihano, Kishinami, Kondo, Roehrig, Sakima, Takamine, Yim and Young.

2568-74 "A Bill for an Act making an appropriation for the extension and widening of a portion of Kamehameha Highway, Oahu."

Introduced by: Representatives Lunasco, de la Cruz, R. Garcia, Kihano, Kondo, Medina, Nakama, Oda, Poepoe, Wasai, Yap, Yim and Yuen.

2569-74 "A Bill for an Act making a grant-in-aid for general improvements to

- Wahiawa General Hospital, Wahiawa, Oahu."
- Introduced by: Representatives Lunasco, de la Cruz, R. Garcia, Kihano, King, Kondo, Medina, Nakama, Oda, Poepoe, Wasai, Yap, Yim and Yuen.
- 2570-74 "A Bill for an Act relating to contractors and suppliers."
- Introduced by: Representatives Yuen, Akizaki, Amaral, Cobb, Hapai, Lunasco and Medina.
- 2571-74 "A Bill for an Act making an appropriation for a ten year audit of the expenditures of the House of Representatives."
- Introduced by: Representative A. Chong.
- 2572-74 "A Bill for an Act making an appropriation for improvements to Highway 11."
- Introduced by: Representatives Hapai, W. Chong, J. Garcia, Roehrig, Suwa and Takamine.
- 2573-74 "A Bill for an Act relating to general public assistance."
- Introduced by: Representative R. Garcia.
- 2574-74 "A Bill for an Act making a supplemental appropriation for the expansion of the college work-study program, University of Hawaii."
- Introduced by: Representatives Sakima, Akizaki, A. Chong, R. Garcia, Kawakami, Kihano, Kishinami and Young.
- 2575-74 "A Bill for an Act relating to real property taxation."
- Introduced by: Representatives Medina, Iha, Oda, Roehrig, Takamine, Wong, Yap and Yuen.
- 2576-74 "A Bill for an Act making an appropriation for the Maui Memorial Hospital."
- Introduced by: Representatives Medina, Kondo and Yuen.
- 2577-74 "A Bill for an Act making appropriations for capital improvement projects in the Seventh Representative District of Maui."
- Introduced by: Representatives Medina, Kondo and Yuen.
- 2578-74 "A Bill for an Act making an appropriation for general road improvements to Kalaniana'ole Highway extending from Lunalilo Home Road to Makapuu Point."
- Introduced by: Representatives Soares, Ajifu, Aki, Cobb, J. Garcia, Medeiros and Saiki.
- 2579-74 "A Bill for an Act making appropriations for capital improvement projects in the Eighth Representative District of Hawaii."
- Introduced by: Representatives Soares, Ajifu, Aki, Cobb, J. Garcia, Medeiros and Saiki.
- 2580-74 "A Bill for an Act making an appropriation for capital improvement projects at Kalani High School."
- Introduced by: Representatives Soares, Ajifu, Aki, Cobb, J. Garcia, Medeiros and Saiki.
- 2581-74 "A Bill for an Act making an appropriation for the improvement of street lighting on Kalaniana'ole Highway extending from Wailupe Circle to Lunalilo Home Road."
- Introduced by: Representatives Soares, Ajifu, Aki, Cobb, J. Garcia, Medeiros and Saiki.
- 2582-74 "A Bill for an Act relating to elections."
- Introduced by: Representatives Takamine, Ajifu, Akizaki, Amaral, A. Chong, W. Chong, J. Garcia, R. Garcia, Hapai, Iha, Kishinami, Lee, Medeiros, Medina, Morioka, Nakama, Roehrig, Sakima, Suwa, Uechi, Wong, Yim, Young and Yuen.
- 2583-74 "A Bill for an Act relating to real property tax exemptions."
- Introduced by: Representatives Takamine, Akizaki, Amaral, A. Chong, W. Chong, J. Garcia, R. Garcia, Hapai, Iha, Kishinami, Lee, Medina, Morioka, Nakama, Roehrig, Sakima, Suwa, Uechi, Wong, Yim, Young and Yuen.

#### SUSPENSION OF RULES

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

**THIRD READING**

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

**H. B. No. 2178-74**

On motion by Representative Lee, seconded by Representative Takamine, **H. B. No. 2178-74** passed Third Reading by a vote of 51 ayes.

**H. B. No. 2193-74**

On motion by Representative Lee, seconded by Representative Takamine, **H. B. No. 2193-74** passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that **H. B. Nos. 2178-74 and 2193-74** had passed Third Reading not earlier than 1:26 o'clock p.m.

**UNFINISHED BUSINESS**

Consideration of **H. R. No. 225** which was deferred from Friday, February 15, 1974.

Representative Ajifu rose on a point of information and inquired:

"Mr. Speaker, if you will recall, last Friday I made a motion to adopt a resolution calling for an independent audit of the House of Representatives. I would like to know whether my motion at that time was recognized. I had stated, Mr. Speaker, that my resolution was for floor action. I would like to just first ask you if you had recognized my motion."

The Chair here stated:

"At that time, you had made an appeal."

Representative Ajifu rose and stated:

"No, no sir, Mr. Speaker. I had proposed the resolution."

At 1:29 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 1:30 o'clock p.m., the House of Representatives reconvened.

At this time, Representative Ajifu again rose and stated:

"Mr. Speaker, when I had the floor, I was just asking you, Mr. Speaker, whether my motion to adopt the resolution at that time was..."

The Chair stated:

"The question before the House, Representative Ajifu, is the appeal of the ruling of the Chair which was deferred one day."

Representative Ajifu again rose and stated:

"I recognize that, Mr. Speaker. I am rising to a point of information, Mr. Speaker. The information that I am seeking is, was my motion recognized by you, Mr. Speaker."

Representative Kimura, on a point of order, stated:

"I think the speaker is out of order in that the precise question before the House and which was deferred one day was whether or not the ruling of the Speaker was being properly appealed."

Representative Cobb here rose on a point of parliamentary privilege and stated:

"Would the Chair stipulate that the motion by the Representative from the Twenty-Third District had been made and seconded so that it would be the property of the House to dispose of."

Representative O'Connor, on a point of order, rose and stated:

"Mr. Speaker, the matter before the House is the appeal of the ruling of the Chair which is the matter that the Clerk has called and the matter upon which we should be acting."

The Chair responded:

"That is correct."

Representative Kato here rose on a point of order and stated:

"May we have Representative Ajifu's question be heard?"

The Chair stated:

"The Chair has answered Representative Ajifu, stating that the question before the House is an appeal of the ruling of the Chair which was deferred one day which is today."

Representative Kato then rose and stated:

"Mr. Speaker, I believe he wants to pursue the matter. That's all he is saying."

The Chair responded:

"No, I don't think it is necessary to pursue the matter. The question before the House is the appeal of the ruling of the Chair which was deferred."

Representative Ajifu rose and stated:

"I only seek that point of information, Mr. Speaker, because I think there is a relevancy as to whether or not the appeal was in order. Mr. Speaker, if you had recognized my motion, my motion was for floor action, and then subsequently, you had then referred it to

the printing committee, and at that time I had made an appeal. But I am only asking, Mr. Speaker, if you had recognized my motion, and if my motion was recognized, then your referral to printing would be, I would say, out of order."

The Chair here stated:

"There was no motion. The Chair at that time referred the resolution to printing, and at that stage, there was an appeal of the ruling of the Chair. This is the situation today. So the question before the House is the appeal of the ruling of the Chair. Shall we proceed."

Representative Ajifu again rose and stated:

"Mr. Speaker, I am sure you don't want to answer the question, but in view of that fact, I am willing to go on to the appeal position."

The Chair responded:

"That is precisely the business before the House."

Representative Ajifu then rose and requested a roll call vote.

Representative J. Garcia rose on a point of inquiry and asked the Chair to specifically state the motion before the House.

The Chair responded:

"The question before the House is an appeal of the ruling of the Chair as to the procedure involved in ordering the resolution to be printed that was appealed and a subsequent deferral for one day."

Representative Kimura rose to speak against the appeal, whereupon Representative Cobb rose on a point of order and stated:

"An appeal to the Chair is not debatable."

The Chair ruled that Representative Kimura would be allowed limited debate on this subject.

Representative Cobb again rose on a point of order and stated:

"That is in violation of Cushing's Manual of Parliamentary Practice which states very clearly that an appeal to the Chair is not debatable."

The Chair again ruled that Representative Kimura would be allowed a limited debate on a motion to appeal and recognized Representative Kimura.

Representative Kimura deferred to Representative Roehrig, whereupon Representative Roehrig rose and stated:

"I refer the prior speaker's attention to Page 154 relating to appeal from the decision of the Chair; No. 3 provides for limited debate. Thank you."

Representative Kimura then rose and stated:

"Mr. Speaker, I speak against this appeal because what is at issue here, without getting into the merits of the resolution, is the question whether or not we are going to give full faith and credence to our rules that we have just adopted and the rules and the practice and procedure which have been very much a part and parcel of our operations and specifically, it is the committee system. Now, our House Rules, Rule 35.4 states very explicitly that 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. What is important, Mr. Speaker, is that it has been the practice and the usage of this House that on bills and on resolutions which are not congratulatory in nature, that they be referred to committee, and it is in the committee that the practicalities of that particular resolution, whether it is feasible, whether it can be accomplished within the dictates of that or the suggestions of the resolution, is really the committee and not the floor for its consideration; such as the cost; such as whether or not there are CPA firms within the State of Hawaii to do this particular job; whether or not the scope and the breadth of that resolution is sufficient. We could go on and debate on this House floor as to just what the resolution should be, and I think there is some fear that is rampant throughout this House that this resolution, if it goes to committee, will go in a deep freeze, and I think we have had the assurance of the Legislative Management Committee chairman and the committee members that this particular resolution will see the light of day. In fact, there may be public hearings, Mr. Speaker, and I say that it should be referred to committee, with the general assurance that it will be reported on the floor. Thank you, Mr. Speaker."

Representative Ajifu then rose and stated:

"Mr. Speaker, I would like to speak to support the appeal that I am seeking. Mr. Speaker, we have just received on file **Standing Committee Report 41-74**, and I find in that report many inconsistencies within the internal control and the auditing procedures of the House of Representatives."

Representative Kimura rose on a point of order and stated:

"I think the Representative from the windward side is straying aside from the subject matter under discussion, and I think

he is out of order, Mr. Speaker. He is getting into the merits of some other committee report."

The Chair ruled that Representative Kimura's point was well taken and asked Representative Ajifu to confine himself to the question on the appeal.

Representative J. Garcia, on a point of order, stated:

"The report to which Mr. Ajifu alludes is the property of the House. It reposes on our desks right now. The matter is germane to the subject under discussion, and no matter how you try to taint the subject matter, it is germane to what is being discussed here this afternoon."

The Chair here stated:

"Representative Ajifu, will you confine yourself to the appeal which is a procedure and not go into the demerits or merits of bills, resolutions or others on the desk. Proceed."

Representative Ajifu rose and stated:

"I think first I need to clarify the motion to appeal. The motion to appeal is an incidental motion which is attached to the main motion which was the adoption of the resolution, Mr. Speaker, and I am making reference to this particular resolution, and I would like to also bring out what I was saying earlier with regards to **Standing Committee Report No. 41** which was received and filed. In this report, I find . . ."

Representative O'Connor, on a point of order, stated:

"Cushing's is very clear that the debate allowed in such an instance as this is a limited debate, not a general debate, not to take in other collateral matters. Therefore, I believe that the speaker is straying from the matter before the House which only has to do with the appeal of the ruling of the Chair."

The Chair then stated:

"Your point is well taken. Representative Ajifu, I think for the purpose of expediting what you are trying to reach, shall we proceed. Confine yourself to a debate on the procedure that the Chair has requested."

Representative Uechi rose on a point of information and stated:

"I have listened to the Majority Floor Leader expounding his views on the appeal. He has presented to the House arguments against the merits of the resolution that was presented here before the Body. I don't see why the Speaker doesn't afford the same

privilege to the speaker who has the floor."

The Chair responded:

"Representative Uechi, for your information, the Majority Floor Leader did not go into the merits or demerits of the resolution. He was just talking about the procedure involved. Representative Ajifu, proceed."

Representative Ajifu rose and stated:

"Yes, Mr. Speaker. I think it seems to be very confusing when I am interrupted from time to time. What I really wanted to bring out is germane to the subject matter, Mr. Speaker. I would like to bring out these glaring areas that should be first recognized. I find in this where typewriter rental agreements with three companies, preventive maintenance contracts, . . ."

The Chair stated:

"Representative Ajifu, the Chair recognizes your parliamentary excellence. Will you please confine yourself to the debate which is very limited in the area of appeal. Proceed."

Representative Ajifu went on to state:

"What I wanted to bring out, Mr. Speaker, is to bring out all of these deficient areas so that the members of this House are able to position themselves as to whether they should sustain the appeal or not."

The Chair stated:

"Representative Ajifu, you have been here many years. You know the procedure; you know what you are appealing. Will you confine yourself to the appeal. Proceed."

Representative Ajifu again rose and stated:

"Well, Mr. Speaker, I am at a loss because I don't know just how else I can bring to the members of this House as to the argument whether the resolution should be adopted here today or not, and I would like to bring these points out because there is a certain urgency, and I feel that we should act on this resolution today rather than postponing and referring to printing and committee."

Representative Roehrig here rose on a point of information and inquired:

"Mr. Speaker, I wonder if the maker of the motion would answer some questions on this."

Representative Cobb, on a point of order, stated:

"There is no motion. There is only an

appeal on the ruling of the Chair, and it has not been properly recognized as a motion on the floor of this House."

The Chair ruled that the point was well taken.

Representative Roehrig then rose and stated:

"Mr. Speaker, I would like to ask whether or not the maker of the appeal to the ruling of the Chair would yield to some questions on the nature of his appeal."

Representative Cobb here rose on a point of order and stated:

"Last session, on three occasions, you limited me to a single question when I rose on points of information, and now a member of the same party, perhaps a different group, has risen on a point of information and has been granted the right of multiple questions. Therefore, in the interests of consistency as required by Cushing's, Mr. Speaker, are you saying that members of this House may ask multiple questions or are we to be limited to single questions?"

The Chair responded:

"Representative Cobb, I don't think that Representative Roehrig even started to ask the question."

Representative Cobb then replied:

"No, but he has received your permission for multiple questions, Mr. Speaker."

The Chair then asked Representative Ajifu if he would yield to a question.

Representative Ajifu replied:

"If I can answer his question."

Representative Roehrig then rose and inquired:

"Since you have appealed the ruling of the Chair and in making a decision on this appeal, it is relevant for me, Mr. Speaker, to determine the intent of just what it is that the appellant, if we call him, is intending to determine by use of this resolution, and he has just stated a couple of minutes ago that this is a matter of some urgency and we want to bring out some areas of deficiencies and that we have waited long enough for that reason, so I would like to inquire into some of the areas, at least one area where I am wondering if he is intending that we should expedite this matter."

The Chair then stated:

"Representative Roehrig, we shall not go into the merits and demerits of that resolution. We are just talking about the procedure

which was appealed."

Representative Roehrig again rose and stated:

"I am not going to go into the merits of it. I just want to know whether or not, for purposes of clarification, whether certain matters were intended to be included within this resolution he seeks this expeditious action on."

The Chair stated:

"Representative Roehrig, after the resolution goes to a committee, I think that would be a proper place to have your inquiry made, not on the merits or demerits of the resolution today."

Representative Roehrig again rose and stated:

"Mr. Speaker, if this resolution doesn't reach the committee, then I won't be given the opportunity. Consequently, I would like to be able to inquire of Representative Ajifu some of the rationale for this appeal and the urgency of the resolution getting adopted today before we get to vote on it."

The Chair stated:

"Representative Roehrig, we have other resolutions, and I am sure we are going to have many more resolutions along these certain lines. So, we can proceed on the appeal."

Representative J. Garcia, on a point of order, stated:

"If you are to permit the gentleman from Hilo to pursue his line of questioning . . ."

The Chair responded:

"The Chair has just asked the Representative to confine himself on the appeal."

Representative Ajifu then rose and stated:

"Mr. Speaker, I would just like to inform the previous speaker that if he would like to pose that question after the appeal, then I would suggest that he vote with me to sustain my appeal so that he will have the opportunity to raise questions."

The Chair ruled that Representative Ajifu was out of order.

Representative Uechi, on a point of information, inquired as follows:

"With regards to the appeal of the Chair, does this effectively govern the fate of the resolution that is on the floor?"

The Chair replied:



"Not as far as the Chair can determine. If I know the members of the Legislative Management Committee, I am sure they are going to take proper action. You can be assured of that."

Representative O'Connor rose and inquired if the Chair would pose the question to the Body.

The Chair stated:

"The motion before the House is an appeal of the ruling of the Chair as to the procedure involved in ordering the resolution to printing. An aye vote sustains the ruling of the Chair. A no vote is against the ruling of the Chair."

A roll call vote on Representative Ajifu's appeal of the ruling of the Chair that **House Resolution No. 225** be referred to printing was taken, and the ruling of the Chair was sustained by a vote of 28 ayes to 23 noes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, J. Garcia, R. Garcia, Hapai, Kato, Lee, Leopold, Lunasco, Medeiros, Oda, Soares, Uechi, Wasai, Wong, Yamada, Yim and Yuen voting no.

Representative Wong rose on a point of information and stated:

"Mr. Speaker, I have word out of Washington that again Hawaii is out of the top 20. Word out of the Federal Energy Office this morning has allotted 84 million gallons of gasoline to the following states for the last nine days of the month. The following states will receive a 5% increase: Alabama, Arizona, Georgia, Nevada, New Hampshire, New Jersey, Oregon, Vermont, Virginia and West Virginia. Those states that will be receiving a 2% increase are Connecticut, Florida, Illinois, Indiana, Maryland, Massachusetts, Missouri, New York, Pennsylvania and Rhode Island. This amounts to a total, Mr. Speaker, of 2 million barrels additional crude that will be provided for these states over the next nine days. My question is, Mr. Speaker, where have we been? This is the second straight week that Hawaii, as one of the first states to appeal to the Federal Energy Office, is again left out. I leave that question with this Honorable Body so that those particular individuals who wish to talk to certain officials should do so. Thank you, Mr. Speaker."

#### INTRODUCTION OF RESOLUTION

At this time, Representative Cobb rose and stated that he had a resolution to offer.

At 1:54 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 1:55 o'clock p.m., the House of Representatives reconvened.

The Chair referred the resolution to the Committee on Legislative Management.

Representative Cobb then rose and moved for the immediate adoption of the resolution.

The Chair stated:

"The Chair has ruled that it should be printed and referred."

Representative Cobb then stated:

"Thank you, Mr. Speaker. May I appeal the ruling of the Chair to a roll call vote, please."

Representative R. Garcia, on a point of order, stated:

"In moving for the adoption of this resolution, I believe what it calls for is to release publicly the detailed audit of the expenditures. Now, the question that I pose to you, Mr. Speaker, is whether or not this detailed audit has already been made available. If it has, then this resolution is not required, and it would not be germane to this body to vote on it."

The Chair responded:

"The Chair will not decide whether it is germane to the resolution or the intent of the resolution. We will not deter any member of the House from introducing bills or resolutions."

Representative Ajifu then rose on a point of information and inquired:

"With reference to the question posed by the previous speaker, do you have on hand a detailed audit from the Department of Accounting and General Services from the Auditor with regards to the financial..."

The Chair then stated:

"Representative Ajifu, the question before the House appeals the ruling of the Chair with regard to printing and referral."

Representative Wakatsuki then rose and stated:

"I would just like to remark that the question raised by the previous speaker can best be answered by the Legislative Management Committee."

At 1:56 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 1:58 o'clock p.m., the House of Representatives reconvened.

The Chair then stated:

"The question before the House is an appeal of the ruling of the Chair with regards to the resolution being referred to printing. An aye vote sustains the ruling of the Chair. A no vote is against the ruling of the Chair."

A roll call vote on the appeal of the ruling of the Chair was taken and was sustained by a vote of 36 ayes to 14 noes, with Representatives Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, J. Garcia,

Leopold, Medeiros, Oda, Soares, Uechi, Wong and Yim voting no and Representative Nakama being excused.

#### ADJOURNMENT

At 2:01 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, February 20, 1974.

## TWENTY-FIFTH DAY

Wednesday, February 20, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Edwin Bonsey of St. Elizabeth's Episcopal Church, after which the Roll was called showing all members present with the exception of Representatives Iha, Kawakami, O'Connor and Roehrig who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Twenty-Fourth Day.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Fourth Day was approved.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 8 to 10) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 8) transmitting Senate Bill No. 1481-74 entitled: "A Bill for an Act relating to general obligation bonds of the State of Hawaii," which passed Third Reading in the Senate on February 19, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 9) transmitting Senate Bill No. 1514-74 entitled: "A Bill for an Act establishing a revolving fund for the central purchase of supplies for resale to State government using agencies," which passed Third Reading in the Senate on February 19, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 10) transmitting Senate Bill No. 1518-74 entitled: "A Bill for an Act relating to charges for duplicating microfilms of documents recorded in the Bureau of Conveyances or filed in the Office of the Assistant Registrar of the Land Court," which passed Third Reading in the Senate on February 19, 1974, was placed on file.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, S. B. Nos. 1481-74, 1514-74 and 1518-74 passed First Reading by title and further action was deferred until later on the calendar.

### DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 6 and 7) were read by the Clerk and were disposed of as follows:

A communication from Lester E. Cingcade, Administrative Director of The Judiciary, (Dept. Com. No. 6) transmitting copies of their annual

report for the year 1972-73 was placed on file.

A communication from Jan Javinar, Chairman of the 1974 State Student Conference of the Hawaii State Student Council, (Dept. Com. No. 7) transmitting copies of the proceedings of the 1974 State Student Conference was placed on file.

### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 14 and 15) were read by the Clerk and were disposed of as follows:

A communication from the Leonard Freeman Family (Misc. Com. No. 14) acknowledging receipt of H. R. No. 3 was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator, (Misc. Com. No. 15) acknowledging receipt of H. R. No. 149 was placed on file.

### ORDER OF THE DAY

#### COMMITTEE REFERRALS

The following bills (H. B. Nos. 2567-74 to 2583-74 and S. B. Nos. 1481-74, 1514-74 and 1518-74) were disposed of as follows:

H. B. No.	Referred to:
2567-74	Committee on Federal-State-County
2568-74	Committee on Finance
2569-74	Committee on Finance
2570-74	Jointly to the Committees on Consumer Protection and Judiciary and Corrections
2571-74	Jointly to the Committees on Legislative Management and Finance
2572-74	Committee on Finance
2573-74	Committee on Public Health and Welfare, then to the Committee on Finance
2574-74	Committee on Higher Education, then to the Committee on Finance
2575-74	Committee on Finance
2576-74	Committee on Finance
2577-74	Committee on Finance
2578-74	Committee on Finance
2579-74	Committee on Finance
2580-74	Committee on Finance
2581-74	Committee on Finance

2582-74 Committee on Finance  
 2583-74 Committee on Finance  
**S. B. No.**  
 1481-74 Committee on Finance  
 1514-74 Committee on Finance  
 1518-74 Committee on Finance

#### DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 217 to 226) and concurrent resolutions (H. C. R. Nos. 27 and 28) were disposed of as follows:

H. R. No.	Referred to:
217	Committee on Federal-State-County
218	Committee on Water, Land Use and Development, then to the Committee on Finance
219	Committee on Water, Land Use and Development, then to the Committee on Agriculture, then to the Committee on Finance
220	Committee on Higher Education
221	Committee on Transportation
222	Committee on Public Health and Welfare, then to the Committee on Finance
223	Committee on Education, then to the Committee on Finance
224	Committee on Public Health and Welfare, then to the Committee on Finance
225	Jointly to the Committees on Legislative Management and Finance
226	Jointly to the Committees on Legislative Management and Finance

#### H. C. R. No.

27	Committee on Public Health and Welfare, then to the Committee on Finance
28	Committee on Public Health and Welfare, then to the Committee on Finance

#### COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

#### H. B. No. Re-referred to:

2492-74	Committee on Water, Land Use and Development
2493-74	Committee on Water, Land Use and Development

#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 42-74) informing the House that House Bill Nos. 2567-74 to 2583-74, House Resolution Nos. 216 to 226, House Concurrent Resolution Nos. 26 to 28, Standing Committee Report Nos. 36-74 to 41-74 and Standing Committee Report Nos. 43-74 to 54-74 had been printed and distributed.

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

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 43-74) recommending that H. B. No. 2376-74 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative A. Chong, seconded by Representative Kato and carried, the report of the Committee was adopted and H. B. No. 2376-74 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 44-74) recommending that H. B. No. 2297-74 pass Second Reading and be referred to the Committee on Consumer Protection with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and H. B. No. 2297-74, as amended, passed Second Reading and was referred to the Committee on Consumer Protection.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 45-74) recommending that H. B. No. 2295-74 pass Second Reading and be referred to the Committee on Consumer Protection.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and H. B. No. 2295-74 passed Second Reading and was referred to the Committee on Consumer Protection.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 46-74) recommending that H. B. No. 1324 pass Second

Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative A. Chong, seconded by Representative Kato and carried, the report of the Committee was adopted and H. B. No. 1324, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 47-74) recommending that S. B. No. 965, S. D. 1, pass Second Reading and be referred to the Committee on Judiciary and Corrections.

On motion by Representative A. Chong, seconded by Representative Kato and carried, the report of the Committee was adopted and S. B. No. 965, S. D. 1, passed Second Reading and was referred to the Committee on Judiciary and Corrections.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 48-74) recommending that H. B. No. 2363-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative A. Chong, seconded by Representative Kato and carried, the report of the Committee was adopted and H. B. No. 2363-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 21, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 49-74) recommending that H. B. No. 2261-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2261-74, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 21, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 50-74) recommending that H. B. No. 2185-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2185-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 21, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 51-74) recommending that H. B. No. 2186-74 pass Second Reading and be placed on the

calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2186-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 21, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 52-74) recommending that H. B. No. 2192-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2192-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 21, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 53-74) recommending that H. B. No. 2184-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2184-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 21, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 54-74) recommending that H. B. No. 2195-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2195-74, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 21, 1974.

The Chair directed the Clerk to note that printed copies of H. B. Nos. 2363-74, 2261-74, H. D. 1, 2185-74, 2186-74, 2192-74, 2184-74 and 2195-74 were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 227 to 229) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 227) congratulating Fialele Edra for receiving honorable mention in the 23rd Annual High School All-American Team was jointly offered by Representatives Lunasco, 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, 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 Lunasco, seconded by Representative Oda and carried, **H. R. No. 227** was adopted.

A resolution (**H. R. No. 228**) congratulating Haina and Dombroski on their selection to the National High School All-American Team was jointly offered by Representatives Lunasco, 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, Leopold, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yim, Young, Yuen and Beppu.

On motion by Representative Lunasco, seconded by Representative Oda and carried, **H. R. No. 228** was adopted.

Representative Cobb, at this time, rose and stated that he would like to introduce a resolution and defer the adoption of it until after caucus and noting that there was no objection, the Chair so ordered.

At 11:40 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 12:15 o'clock p.m., the House of Representatives reconvened.

A resolution (**H. R. No. 229**) honoring Atherton Richards and extending condolences and deepest sympathies to his family was jointly offered by Representatives Beppu, Aduja, Akizaki, A. Chong, de la Cruz, Hapai, Kawakami, Kihano, King, Kishinami, Kondo, Kunimura, Lee, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Saiki, Sakima, Suwa, Wedemeyer, Wong, Yap, Yim, Young and Yuen.

On motion by Representative Wedemeyer, seconded by Representative A. Chong and carried, **H. R. No. 229** was adopted.

By unanimous consent, the following resolutions (**H. R. Nos. 230 to 235**) and concurrent resolution (**H. C. R. No. 29**) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, February 21, 1974:

A resolution (**H. R. No. 230**) relating to the teacher evaluation system of the Department of Education was offered by Representative Wasai.

A resolution (**H. R. No. 231**) relating to discipline in the public schools was offered by

Representative Wasai.

A resolution (**H. R. No. 232**) requesting a study of the State boards, commissions, councils, and advisory committees was offered by Representative Wasai.

A resolution (**H. R. No. 233**) requesting the Governor to appoint more women to boards and commissions was offered by Representative R. Garcia.

A resolution (**H. R. No. 234**) directing the State Highway Safety Coordinator and the City and County Traffic Department to embark on a bicycle education program was jointly offered by Representatives A. Chong, Aduja, Aki, Akizaki, Amaral, W. Chong, Cobb, Fong, J. Garcia, Hapai, Iha, Kawakami, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Medeiros, Medina, Nakama, Oda, Poepoe, Suwa, Takamine, Wasai, Wedemeyer, Yamada, Yim, Young and Yuen.

A resolution (**H. R. No. 235**) memorializing the Government of the Soviet Union to cease the political harassment of Alexander Solzhenitsyn was jointly offered by Representatives Cobb, R. Garcia, Kato, King, Yim and Yuen.

A concurrent resolution (**H. C. R. No. 29**) directing the State Highway Safety Coordinator and the City and County Traffic Department to embark on a bicycle education program was jointly offered by Representatives A. Chong, Aki, Akizaki, Amaral, W. Chong, Cobb, J. Garcia, Iha, Kato, Kawakami, King, Kishinami, Kunimura, Lee, Leopold, Medeiros, Oda, Poepoe, Soares, Suwa, Takamine, Wasai, Wedemeyer, Yamada, Yim, Young and Yuen.

## INTRODUCTION OF BILLS

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the following bills (**H. B. Nos. 2584-74 to 2610-74**) passed First Reading by title and were referred to the Committee on Legislative Management:

### H. B. No.

2584-74 "A Bill for an Act relating to district court judges."

Introduced by: Representative Beppu.

2585-74 "A Bill for an Act establishing a fund for driver education and training by levying a penalty assessment on certain offenses relating to vehicles or their drivers or owners."

Introduced by: Representative Beppu.

2586-74 "A Bill for an Act relating to costs of judicial proceedings."

Introduced by: Representative Beppu.



- 2587-74 "A Bill for an Act making an appropriation for capital improvement projects in the Twenty-Third Representative District of Hawaii."
- Introduced by: Representatives Aduja, Aki, Carroll, R. Garcia, Kihano, Lunasco, Medeiros, Oda, Sakima, Wedemeyer, Young and Yuen.
- 2588-74 "A Bill for an Act relating to the establishment and operation of a drug abuse treatment center in Kaneohe, Oahu."
- Introduced by: Representatives Aduja, Aki, Carroll, Cobb, R. Garcia, Kihano, Lunasco, Medeiros, Oda, Sakima, Wedemeyer, Young and Yuen.
- 2589-74 "A Bill for an Act relating to contractors."
- Introduced by: Representatives O'Connor, Aduja, Akizaki, A. Chong, de la Cruz, R. Garcia, Kimura, Kishinami, Takamine, Ushijima, Wedemeyer and Young.
- 2590-74 "A Bill for an Act relating to insurance."
- Introduced by: Representative Yap.  
(By Request)
- 2591-74 "A Bill for an Act relating to credit insurance."
- Introduced by: Representative Yap.  
(By Request)
- 2592-74 "A Bill for an Act making an appropriation for park improvements at Fernandez Park, City and County of Honolulu."
- Introduced by: Representatives R. Garcia and Lee.
- 2593-74 "A Bill for an Act relating to Land Use Commission."
- Introduced by: Representative Wasai.
- 2594-74 "A Bill for an Act making an appropriation for and creating a reward fund for information leading to arrest and conviction of promoters of dangerous drugs and making an appropriation for providing direct access to the Office of the Attorney General of the State of Hawaii by persons providing information relating to promotion of dangerous drugs."
- Introduced by: Representatives Wakatsuki, Aduja, Aki, Akizaki, Carroll, A. Chong, Cobb, Fong, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kishinami, Kondo, Kunimura, Lunasco, Morioka, O'Connor, Oda, Roehrig, Suwa, Takamine, Uechi, Wedemeyer, Wong, Yamada, Yap, Yim, Yuen and Beppu.
- 2595-74 "A Bill for an Act proposing an amendment to Article III, Section 11, of the Hawaii Constitution, to provide for a staggered session."
- Introduced by: Representatives Oda, Aduja, Kato, Leopold, Medeiros, Soares, Ushijima and Yamada.
- 2596-74 "A Bill for an Act relating to uterine cytologic and mammillary examinations."
- Introduced by: Representatives J. Garcia, Aduja, Aki, Amaral, Carroll, Fong, Hapai, Leopold, Medeiros, Oda, Soares and Yamada.
- 2597-74 "A Bill for an Act relating to the use tax on capital goods imported for lease to others."
- Introduced by: Representatives Suwa, Akizaki, Fong, Hapai, Kihano, Kishinami, Kondo, Lee, Medina, Sakima, Yap and Beppu.
- 2598-74 "A Bill for an Act making an appropriation for off-road motorcycling areas."
- Introduced by: Representatives Wasai, A. Chong, Cobb, Kihano, Kishinami, Lunasco, O'Connor, Wedemeyer, Wong and Yamada.
- 2599-74 "A Bill for an Act relating to the University of Hawaii."
- Introduced by: Representatives Sakima, Kihano, Kimura, Kishinami, Wakatsuki and Young.
- 2600-74 "A Bill for an Act relating to the University of Hawaii."
- Introduced by: Representatives Sakima, Kihano, Kimura, Kishinami, Wakatsuki and Young.
- 2601-74 "A Bill for an Act making an appropriation for the State Student Incentive Grant Program."
- Introduced by: Representatives Sakima, Kihano, Kimura, Kishinami, Wakatsuki and Young.
- 2602-74 "A Bill for an Act relating to the University of Hawaii."

Introduced by: Representatives Sakima, Kihano, Kimura, Kishinami, Wakatsuki and Young.

- 2603-74 "A Bill for an Act making an appropriation for Kona Hospital."

Introduced by: Representatives Hapai, Aduja, Aki, Amaral, Carroll, W. Chong, Fong, J. Garcia, Leopold, Poe-poe, Saiki and Yamada.

- 2604-74 "A Bill for an Act relating to the Hawaii Motor Vehicle Accident Reparations Act."

Introduced by: Representative Beppu. (By Request)

- 2605-74 "A Bill for an Act making an appropriation for Moiliili Senior Center."

Introduced by: Representatives Akizaki, King, A. Chong, Cobb, de la Cruz, R. Garcia, Iha, Kato, Kawakami, Kihano, Kimura, Kishinami, Kunimura, Lunasco, Medina, Morioka, Nakama, Roehrig, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wedemeyer, Wong, Yap, Young, Yuen and Beppu.

- 2606-74 "A Bill for an Act relating to an appropriation for the Moiliili Community Center."

Introduced by: Representatives Akizaki, King, A. Chong, Cobb, de la Cruz, R. Garcia, Iha, Kato, Kawakami, Kihano, Kimura, Kishinami, Kunimura, Lunasco, Medina, Morioka, Nakama, Roehrig, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wedemeyer, Wong, Yap, Yim, Young, Yuen and Beppu.

- 2607-74 "A Bill for an Act making an appropriation for additional staff in the Office of Consumer Protection."

Introduced by: Representatives Yuen, Akizaki, de la Cruz, J. Garcia, Kimura, Kishinami, Lunasco, Medeiros, Medina, Oda, Sakima, Soares, Ushijima, Wakatsuki, Wasai and Yap.

- 2608-74 "A Bill for an Act making an appropriation for plans, construction, and improvements of third priority for schools in the Farrington High School complex, Oahu."

Introduced by: Representatives R. Garcia, Lee, Sakima, Yap, Iha, Wong and Yim.

- 2609-74 "A Bill for an Act making an appropriation for plans, construction,

and improvements of first priority for schools in the Farrington High School complex, Oahu."

Introduced by: Representatives R. Garcia, Lee, Sakima, Yap, Iha, Wong and Yim.

- 2610-74 "A Bill for an Act making an appropriation for plans, construction, and improvements of second priority for schools in the Farrington High School complex, Oahu."

Introduced by: Representatives R. Garcia, Lee, Sakima, Yap, Iha, Wong and Yim.

The Chair here directed the Clerk to note the presence of Representative O'Connor.

### SUSPENSION OF RULES

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

### THIRD READING

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

#### H. B. No. 2216-74

On motion by Representative Suwa, seconded by Representative Akizaki, H. B. No. 2216-74 passed Third Reading by a vote of 48 ayes, with Representatives Iha, Kawakami and Roehrig being excused.

#### H. B. No. 2217-74

On motion by Representative Suwa, seconded by Representative Akizaki, H. B. No. 2217-74 passed Third Reading by a vote of 48 ayes, with Representatives Iha, Kawakami and Roehrig being excused.

#### H. B. No. 2179-74

On motion by Representative Suwa, seconded by Representative Akizaki, H. B. No. 2179-74 passed Third Reading by a vote of 48 ayes, with Representatives Iha, Kawakami and Roehrig being excused.

#### H. B. No. 2180-74

On motion by Representative Suwa, seconded by Representative Akizaki and carried, H. B. No. 2180-74 was recommitted to the Committee on Finance.

**H. B. No. 2220-74**

On motion by Representative Suwa, seconded by Representative Akizaki, **H. B. No. 2220-74** passed Third Reading by a vote of 48 ayes, with Representatives Iha, Kawakami and Roehrig being excused.

The Chair directed the Clerk to note that **H. B. Nos. 2216-74, 2217-74, 2179-74 and 2220-74** passed Third Reading not earlier than 12:19 o'clock p.m.

**UNFINISHED BUSINESS**

**Stand. Com. Rep. No. 35-74 on H. B. No. 2362-74**, deferred from February 19, 1974.

Representative Kawakami offered the following amendment to **H. B. No. 2362-74**:

"**H. B. No. 2362-74, H. D. 1** is amended by deleting Section 3 thereof in its entirety and redesignating so much as read 'SECTION 4' and 'SECTION 5' to read 'SECTION 3' and 'SECTION 4', respectively."

On motion by Representative A. Chong, seconded by Representative Kato and carried, the amendment was adopted.

By unanimous consent, the referral of **H. B. No. 2362-74, H. D. 1** to the Committee on Finance was waived.

On motion by Representative A. Chong, seconded by Representative Kato and carried, the report of the Committee was adopted and **H. B. No. 2362-74, H. D. 1**, as amended, passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of **H. B. No. 2362-74, H. D. 1**, as amended, were made available to the members of the House at 11:45 o'clock a.m.

**ADJOURNMENT**

At 12:27 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, February 21, 1974.

## TWENTY-SIXTH DAY

Thursday, February 21, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Gordon A. Wolfe, Pastor of the Moanalua Gardens Missionary Church, after which the Roll was called showing all members present with the exception of Representatives A. Chong, R. Garcia, Kato, Wasai and Wong who were excused.

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

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Fifth Day was approved.

### GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 53) transmitting copies of a report prepared by the State Commission on Manpower and Full Employment pursuant to Section 202-2, Hawaii Revised Statutes, was read by the Clerk and was placed on file.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 11 and 12) were read by the Clerk and were disposed of as follows:

A message from the Senate (Sen. Com. No. 11) returning House Concurrent Resolution No. 26 which was adopted by the Senate on February 20, 1974, was placed on file.

A message from the Senate (Sen. Com. No. 12) transmitting Senate Bill No. 1509-74 entitled: "A Bill for an Act relating to defacing vessel hull identification numbers, possessing vessels with defaced numbers, and imposition of penalties," which passed Third Reading in the Senate on February 20, 1974, was placed on file.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, S.B. No. 1509-74 passed First Reading by title and further action was deferred until later in the calendar.

### DEPARTMENTAL COMMUNICATION

A communication from Hiroshi Yamashita, Chairman, Board of Education (Dept. Com. No. 8) acknowledging receipt of House Resolution No. 189, was read by the Clerk and was placed on file.

At this time, Representative O'Connor introduced to the members of the House the Honorable James Ackerman, a member of the House of Representatives of the State of Rhode Island, and Mrs. Ackerman. They were accompanied by Mr. Mark Briggs.

The Chair then appointed Representatives Kishinami, Roehrig and Carroll to escort Representative Ackerman to the rostrum and he addressed the members of the House as follows:

"Thank you very much, Mr. Speaker, ladies and gentlemen of the House. I am glad to be able to say ladies and gentlemen, including ladies on the Democratic side. We, in Rhode Island, are not quite so fortunate. We haven't yet had a woman elected from the Democratic side in our house.

I would just like to take a couple of moments of your time today to make note of the fact that you have a number of student observers with us here also and being a member of the Commission on State Student Internship in Rhode Island, I would like to encourage the young people who are observing here today to actively consider the possibility of entering public life themselves. As you observe the proceedings here today, I think you will agree with me that public officials, a vast majority of them, are hardworking and dedicated people and they need your help. They need your active participation to make the State of Hawaii what you want it to be in the future. So let me encourage you and urge you, as you observe the proceedings here today and during this week, to consider running for elective office yourself. We need your idealism; we need your sense of principle; and the people who are observing in the legislature here today, we would like to see you join them in the future.

On behalf of my wife, myself, thank you for the warm hospitality you have shown us today and we send you our best wishes for your proceedings and your deliberations.

Thank you very much."

At 11:41 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:45 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives R. Garcia, Kato, Wasai and Wong.

### ORDER OF THE DAY

#### COMMITTEE REFERRALS

The following bills (H. B. Nos. 2584-74 to 2610-74 and S. B. No. 1509-74) were disposed of as follows:

H. B. No.	Referred to:
2584-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2585-74	Committee on Transportation, then to the Committee on Finance
2586-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2587-74	Committee on Finance
2588-74	Committee on Public Health and Welfare, then to the Committee on Finance
2589-74	Committee on Consumer Protection
2590-74	Committee on Consumer Protection
2591-74	Committee on Consumer Protection
2592-74	Committee on Finance
2593-74	Committee on Water, Land Use and Development
2594-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2595-74	Committee on Judiciary and Corrections
2596-74	Committee on Public Health and Welfare
2597-74	Committee on Finance
2598-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2599-74	Committee on Higher Education, then to the Committee on Finance
2600-74	Committee on Higher Education, then to the Committee on Finance
2601-74	Committee on Higher Education, then to the Committee on Finance
2602-74	Committee on Higher Education, then to the Committee on Finance
2603-74	Committee on Public Health and Welfare, then to the Committee on Finance
2604-74	Jointly to the Committees on Consumer Protection, Judiciary and Corrections and Finance
2605-74	Committee on Finance

2606-74	Committee on Finance
2607-74	Committee on Consumer Protection, then to the Committee on Finance
2608-74	Committee on Finance
2609-74	Committee on Finance
2610-74	Committee on Finance
<b>S. B. No.</b>	
1509-74	Committee on Transportation

#### DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 230 to 235) and concurrent resolution (H. C. R. No. 29) were disposed of as follows:

H. R. No.	Referred to:
230	Committee on Higher Education, then to the Committee on Finance
231	Committee on Education, then to the Committee on Finance
232	Committee on Labor and Public Employment, then to the Committee on Finance
233	Committee on Labor and Public Employment
234	Committee on Transportation, then to the Committee on Finance
235	Committee on Federal-State-County

#### H. C. R. No.

29	Committee on Transportation, then to the Committee on Finance
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#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 55-74) informing the House that House Bill Nos. 2584-74 to 2610-74, House Resolution Nos. 227 to 235, House Concurrent Resolution No. 29, Standing Committee Report Nos. 56-74 and 57-74, and Floor Amendment on House Bill No. 2362-74, House Draft No. 2, had been printed and distributed.

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

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 56-74) recommending that H. B. No. 2050-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 2050-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 22, 1974.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 57-74**) recommending that **H. B. No. 2085-74** pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Kawakami, seconded by Representative Iha and carried, the report of the Committee was adopted and **H. B. No. 2085-74**, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 22, 1974.

The Chair directed the Clerk to note that printed copies of **H. B. Nos. 2050-74** and **2085-74, H. D. 1**, were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (**H. R. Nos. 236** and **237**) were read by the Clerk and were disposed of as follows:

A resolution (**H. R. No. 236**) commending the Center for Engineering Research, University of Hawaii, for the **ECOPUSH** conference series was jointly offered by Representatives King, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, 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 King, seconded by Representative Ushijima and carried, **H. R. No. 236** was adopted.

At this time, Representative King introduced to the members of the House Dr. Donald J. Grace, Director of the Center for Engineering Research, University of Hawaii.

A resolution (**H. R. No. 237**) extending congratulations and best wishes to Miss Alohanani Puha, 1974 Lei Queen was jointly offered by Representatives Kimura, Akizaki, A. Chong, de la Cruz, R. Garcia, Kawakami, Kihano, Kishinami, Kunimura, Morioka, O'Connor, Roehrig, Sakima, Uechi, Ushijima, Wakatsuki, Wedemeyer, Wong, Yim, Young, Yuen and Beppu.

On motion by Representative Kimura, seconded by Representative Yim and carried, **H. R. No. 237** was adopted.

At this time, Representative Kimura introduced to the members of the House Miss Alohanani Puha and her mother, Mrs. Elizabeth Puha.

By unanimous consent, the following resolutions (**H. R. Nos. 238** to **240**) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, February 22, 1974:

A resolution (**H. R. No. 238**) relating to the Vineyard Street Garage was jointly offered by Representatives King, Akizaki, Kihano, Kimura, Leopold, Lunasco, Medina, Takamine, Uechi, Wedemeyer, Wong and Yap.

A resolution (**H. R. No. 239**) relating to the need for increased campus security at the University of Hawaii at Manoa was jointly offered by Representatives Kimura, Akizaki, A. Chong, de la Cruz, R. Garcia, Kihano, Kishinami, Kunimura, Medina, O'Connor, Saiki, Sakima, Uechi, Wedemeyer, Yap and Beppu.

A resolution (**H. R. No. 240**) requesting an analysis of the use and impact of condominiums in the State of Hawaii was offered by Representative Medina. (By Request)

#### INTRODUCTION OF BILLS

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the following bills (**H. B. Nos. 2611-74** to **2641-74**) passed First Reading by title and were referred to the Committee on Legislative Management:

##### H. B. No.

2611-74 "A Bill for an Act making an appropriation for a study of the market potential for dendrobium orchids and ornamental foliage."

Introduced by: Representatives Kimura, Akizaki, A. Chong, de la Cruz, R. Garcia, Kishinami, Kunimura, Morioka, O'Connor, Roehrig, Sakima, Wakatsuki, and Wedemeyer.

2612-74 "A Bill for an Act relating to unfair and deceptive collection acts or practices."

Introduced by: Representative Beppu. (By Request)

2613-74 "A Bill for an Act relating to intoxicating liquor."

Introduced by: Representatives Kondo, Akizaki, Amaral, W. Chong, de la Cruz, J. Garcia, Kihano, Medina, Morioka, Uechi, Wakatsuki, Wong and Yap.



- 2614-74 "A Bill for an Act relating to Hale Hauoli Day Activity Center."
- Introduced by: Representatives Kondo, Akizaki, Amaral, W. Chong, de la Cruz, J. Garcia, Hapai, Kawakami, Kihano, King, Kishinami, Leopold, Medina, Morioka, Uechi, Ushijima, Wakatsuki, Wong, Yap, Yim and Yuen.
- 2615-74 "A Bill for an Act relating to mental health."
- Introduced by: Representatives A. Chong, Aduja, Aki, Akizaki, de la Cruz, Fong, J. Garcia, Hapai, Kato, Kimura, Kishinami, Kondo, Medina, Nakama, Oda, Takamine, Ushijima, Wedemeyer, Yap and Yuen.
- 2616-74 "A Bill for an Act making an appropriation for a temporary footbridge over Manoa Stream, Oahu."
- Introduced by: Representatives A. Chong, Akizaki, de la Cruz, Fong, Hapai, Kato, Kihano, Kimura, Kishinami, Kondo, Lee, Leopold, Morioka, Nakama, Oda, Takamine, Uechi, Ushijima, Wedemeyer, Yap and Yuen.
- 2617-74 "A Bill for an Act relating to employment security."
- Introduced by: Representative Beppu. (By Request)
- 2618-74 "A Bill for an Act relating to employment security."
- Introduced by: Representative Beppu. (By Request)
- 2619-74 "A Bill for an Act relating to child labor."
- Introduced by: Representative Beppu. (By Request)
- 2620-74 "A Bill for an Act relating to fishing regulations."
- Introduced by: Representative Beppu. (By Request)
- 2621-74 "A Bill for an Act relating to the administration of taxes."
- Introduced by: Representative Beppu. (By Request)
- 2622-74 "A Bill for an Act relating to the administration of taxes."
- Introduced by: Representative Beppu. (By Request)
- 2623-74 "A Bill for an Act relating to taxation."
- Introduced by: Representative Beppu. (By Request)
- 2624-74 "A Bill for an Act relating to annulment, divorce, and separation."
- Introduced by: Representatives King, Ajifu, Akizaki, W. Chong, Cobb, Kawakami, Kihano, Kimura, Leopold, Medina, Morioka, Oda, Saiki, Takamine, Uechi, Wedemeyer, Wong, Yap and Young.
- 2625-74 "A Bill for an Act relating to public improvements in the County of Hawaii and making appropriations therefor."
- Introduced by: Representatives Suwa, W. Chong, J. Garcia, Hapai, Roehrig and Takamine.
- 2626-74 "A Bill for an Act relating to the Hawaiian Homes Commission Act."
- Introduced by: Representatives Roehrig, W. Chong, J. Garcia, Hapai, Suwa and Takamine.
- 2627-74 "A Bill for an Act relating to capital improvement projects."
- Introduced by: Representatives Wedemeyer, Akizaki, King and Beppu.
- 2628-74 "A Bill for an Act relating to income check-off for the Hawaii election campaign fund."
- Introduced by: Representatives Kihano, Aduja, Akizaki, W. Chong, Fong, J. Garcia, Hapai, Iha, Kondo, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, Oda, Sakima, Uechi, Wedemeyer, Yap, Young and Yuen.
- 2629-74 "A Bill for an Act amending Section 294-6, Hawaii Revised Statutes."
- Introduced by: Representative Yap.
- 2630-74 "A Bill for an Act proposing an amendment to Article VI, Section 5, of the Hawaii Constitution to provide for a required minimum percentage of the State tax revenues be expended for lower education."
- Introduced by: Representative Wasai.
- 2631-74 "A Bill for an Act relating to the Board of Education."
- Introduced by: Representative Wasai.
- 2632-74 "A Bill for an Act relating to building permits."

Introduced by: Representative Kondo.  
(By Request)

- 2633-74 "A Bill for an Act relating to retirement benefits for public officers and employees and making an appropriation therefor."

Introduced by: Representatives Lee, Nakama, Takamine and Wasai.

- 2634-74 "A Bill for an Act relating to workmen's compensation."

Introduced by: Representative Beppu.  
(By Request)

- 2635-74 "A Bill for an Act relating to employment security."

Introduced by: Representative Beppu.  
(By Request)

- 2636-74 "A Bill for an Act relating to employment practices."

Introduced by: Representative Beppu.  
(By Request)

- 2637-74 "A Bill for an Act relating to public schools special fees."

Introduced by: Representatives Kishinami, Akizaki, Iha, Kawakami, Kihano, Kimura, Kondo, Medina, Morioka, Nakama, O'Connor, Oda, Sakima, Suwa, Ushijima, Yap, Young, Yuen and Beppu.

- 2638-74 "A Bill for an Act relating to the travel industry education committee."

Introduced by: Representative Medina.  
(By Request)

- 2639-74 "A Bill for an Act relating to disability retirement benefits of public officers and employees."

Introduced by: Representatives W. Chong, J. Garcia, Hapai, Roehrig, Suwa and Takamine.

- 2640-74 "A Bill for an Act relating to disability retirement benefits of public officers and employees."

Introduced by: Representatives W. Chong, J. Garcia, Hapai, Roehrig, Suwa and Takamine.

- 2641-74 "A Bill for an Act relating to the performance of cytologic examinations by hospitals for invasive cancer in women."

Introduced by: Representatives

Young, Cobb, Kunimura, Takamine, Uechi and Yamada.

### SUSPENSION OF RULES

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

### THIRD READING

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

#### H. B. No. 2363-74

On motion by Representative Kawakami, seconded by Representative Iha, **H. B. No. 2363-74** passed Third Reading by a vote of 50 ayes, with Representative A. Chong being excused.

#### H. B. No. 2261-74

On motion by Representative Suwa, seconded by Representative Akizaki, **H. B. No. 2261-74** passed Third Reading by a vote of 50 ayes, with Representative A. Chong being excused.

#### H. B. No. 2185-74

On motion by Representative Suwa, seconded by Representative Akizaki, **H. B. No. 2185-74** passed Third Reading by a vote of 50 ayes, with Representative A. Chong being excused.

#### H. B. No. 2186-74

On motion by Representative Suwa, seconded by Representative Akizaki, **H. B. No. 2186-74** passed Third Reading by a vote of 50 ayes, with Representative A. Chong being excused.

#### H. B. No. 2192-74

On motion by Representative Suwa, seconded by Representative Akizaki, **H. B. No. 2192-74** passed Third Reading by a vote of 50 ayes, with Representative A. Chong being excused.

#### H. B. No. 2184-74

On motion by Representative Suwa, seconded by Representative Akizaki and carried, **H. B. No. 2184-74** was recommitted to the Committee on Finance.

#### H. B. No. 2195-74

On motion by Representative Suwa, seconded by Representative Akizaki and carried, **H. B. No. 2195-74** was recommitted to the Committee on Finance.

**H. B. No. 2362-74**

Representative Kawakami moved that **H. B. No. 2362-74**, as amended, having been read throughout, pass Third Reading, seconded by Representative Iha.

Representative Carroll rose and inquired whether or not the Chairman or Vice Chairman of the Water, Land Use and Development Committee would yield to questions to which Representative Kawakami replied in the affirmative.

Representative Carroll then inquired:

"I would like to ask, Mr. Speaker, if the Committee considered questions as to the definition of when goods have ceased to be within the stream of inter-state commerce."

Representative Kawakami replied:

"Mr. Speaker, Section 125 is existing law and we have not considered any of the matters that are of concern to the Representative."

"Mr. Speaker, my question was whether or not they considered that question and I have two other questions that I am wondering whether or not they have considered."

Representative Kawakami replied that they have not considered the question.

Representative Carroll further inquired:

"I was wondering, if it was considered, what effect, if any, the Federal authority could have in contravening and exercising the power that is proposed by the addition of Section 4-125-2."

Representative Wong then rose and requested a short recess and noting that there was no objection, the Chair declared a recess at 11:58 o'clock a.m.

Upon reconvening at 12:00 o'clock noon, Representative Carroll continued:

"Mr. Speaker, the last question that I have inquiry about is why when there are, what I feel, considerable questions in this area that this particular bill was not referred to the Judiciary Committee."

Representative Kawakami stated that he had no control on referrals and referred Representative Carroll to the Chair.

The Chair responded:

"The Chair felt that the Committee on Water, Land Use and Development could handle this area of your consideration and, furthermore, we tried to expedite matters. As

you know, we have more joint referrals and less referrals and this is one of the reasons. I know that the Chairman of the Water, Land Use and Development Committee had expert legal counsel on this."

Representative Carroll continued:

"Mr. Speaker, I would comment then on the Chair's answer that when there are questions such as this and the Chairman of the Committee has not considered the question, it should be referred to Judiciary."

Representative O'Connor then rose and stated:

"Will the prior speaker allow me to answer the question which he posed to the Chairman of the Committee?"

Representative Carroll replied that he felt Representative O'Connor was better qualified to answer the question.

Representative O'Connor then stated:

"As to the point raised by Representative Carroll as to whether or not the matter of inter-state commerce should apply on this matter — certainly it does."

Representative Carroll interrupted:

"My question was not on inter-state commerce. My question was whether or not the question was considered."

The Chair stated that the point was well taken.

Representative O'Connor continued:

"The matter I know, Mr. Speaker, was considered by the House Majority Attorney in giving advice to the Committee on this situation and the answer to the question is not only was it considered, it has no bearing on this situation. All we are doing is allowing for the Governor of the State to have certain powers in this State. Obviously, the Federal government can supersede at any time it so desires and can pass rules and regulations, including a Federal gas rationing plan, which would supersede the State's plan."

Representative Wong then rose and spoke in favor of **H. B. No. 2362-74, H. D. 2**, as follows:

"Mr. Speaker, I rise to speak in favor of this bill.

Mr. Speaker, **H. B. 2362-74, H. D. 2**, gives the Governor the necessary statutory authority to promulgate rules and regulations to ameliorate some of our energy crises problems. This bill will provide a firm statutory basis for the administration and enforcement of the State's GASPLAN which is presently being challenged in court. It will

also give the Governor the authority to establish a gasoline rationing program should that recourse become necessary.

Mr. Speaker, because of the fast-breaking developments in the energy crisis and the possibility of worsening shortages, it is important that the Governor be given the authority to regulate the distribution of the gasoline and other petroleum products in order to prevent panic buying, inequities and economic dislocation.

Mr. Speaker, it is urgent that this bill be passed quickly. Therefore, Mr. Speaker, I urge this Honorable Body to support H. B. 2362-74, H. D. 2.

Thank you, Mr. Speaker."

Representative O'Connor then rose and stated as follows:

"Mr. Speaker, I rise to speak in favor of the bill.

Mr. Speaker, the bill in question simply is an amendment to Chapter 125 of the Hawaii Revised Statutes. Chapter 125 has been a law of this State since 1949. It provides for certain emergency powers to the Governor. Among those emergency powers presently in the law is the ability of the Governor to purchase and resell or otherwise distribute commodities in an emergency. This chapter has erroneously, in the press and otherwise, been referred to in recent weeks as the Dock Seizure Act. I think it is necessary to point out that Chapter 125 is not the Dock Seizure Act nor does it have anything to do with dock seizure. It is an emergency provision allowing the Governor to deal with commodities and emergency situations. The amendment simply allows the adoption of rules and regulations and builds in the safeguard of the Administrative Procedure's Act.

I would urge all members to vote for this bill."

Representative Roehrig then rose and stated as follows:

"Mr. Speaker, just a few short words in favor of this matter.

I think that with this bill, we are giving the Acting Governor the power to act in this area. I would hope that he would also consider what Maryland has done in filing suit against the FEO regulations. With the rule granting powers and the power he has with the Attorney General's Office, maybe we can come to grips with the problem.

I would also point out for the Journal to indicate that there is some case to suggest that when we adopt this kind of rules that the

Federal government cannot preempt and supersede so long as it is intra-state commerce."

Representative Carroll then rose and stated as follows:

"Mr. Speaker, I would like to speak in favor of the bill also.

I think that it is very timely; it is necessary; and I think that the urgency is clear here but I think, along the same lines, that if we are going to consider far-reaching legislation in this House, we certainly better have the full force of the people that are available in matters of law and I think that to by-pass the Judiciary Committee on something as far-reaching as this particular bill is a mistake.

I urge everyone to vote in favor of this bill."

The motion was put by the Chair and carried, and H. B. No. 2362-74, as amended, passed Third Reading by a vote of 50 ayes, with Representative A. Chong being excused.

The Chair directed the Clerk to note that H. B. Nos. 2363-74, 2261-74, 2185-74, 2186-74, 2192-74 and 2362-74 had passed Third Reading not earlier than 11:55 o'clock a.m.

Representative J. Garcia, at this time, rose and inquired whether or not the Chairman of the Legislative Management Committee would yield to a question to which Representative Akizaki replied in the affirmative.

Representative J. Garcia inquired:

"Mr. Speaker, is there going to be a meeting of the Legislative Management Committee tomorrow night to consider H. R. No. 225?"

Representative Akizaki replied in the affirmative.

Representative J. Garcia continued:

"May I ask why tomorrow night instead of sometime early next week? On behalf of the Minority members, why tomorrow night instead of Tuesday or Wednesday of next week?"

Representative Akizaki replied:

"Well, I thought this was a very pressing matter."

Representative J. Garcia then stated:

"Mr. Speaker, we recognize that the matter is very, very pressing but we dilly-dallied on this for quite sometime now. The Minority respectfully request that the meeting be held other than on a Friday night."

The Chair here stated:

“May the Chair suggest that the Minority Leader, the Minority Floor Leaders and the Chairman get together on this.”

Representative Wakatsuki then rose and stated:

“Mr. Speaker, I believe it is the Chairman’s prerogative and I believe that tomorrow evening the Environmental Protection Committee is having a hearing and other committees may also be having hearings. There is nothing sacred about having hearings on Friday evenings.”

Representative J. Garcia responded:

“I think the sarcasm leveled here by the Chairman of the Judiciary Committee is most uncalled for. We will accept Friday night’s meeting; however, we will meet with the Chairman of the Legislative Management Committee later on.”

The Chair then announced that the cut-off date for the introduction of bills will be March 4th, the 33rd day of the session, at 4:00 o’clock p.m.

#### ADJOURNMENT

At 12:10 o’clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 10:00 o’clock a.m. tomorrow, February 22, 1974.

## TWENTY-SEVENTH DAY

Friday, February 22, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 10:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Angelo DePompa, Associate Pastor of the Cathedral of Our Lady of Peace, after which the Roll was called showing all members present with the exception of Representatives Ajifu, Carroll, A. Chong, Iha, Kato, Kawakami, King, Kondo, Kunitura, Medeiros, Nakama, O'Connor, Poepoe and Wong who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Twenty-Sixth Day.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Sixth Day was approved.

### ORDER OF THE DAY

#### COMMITTEE REFERRALS

The following bills (H.B. Nos. 2611-74 to 2641-74) were disposed of as follows:

H. B. No.	Referred to:
2611-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2612-74	Committee on Consumer Protection
2613-74	Committee on Federal-State-County, then to the Committee on Consumer Protection
2614-74	Committee on Public Health and Welfare, then to the Committee on Finance
2615-74	Committee on Public Health and Welfare, then to the Committee on Judiciary and Corrections
2616-74	Committee on Finance
2617-74	Committee on Labor and Public Employment, then to the Committee on Finance
2618-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection
2619-74	Committee on Labor and Public Employment
2620-74	Committee on Water, Land Use and Development

2621-74	Committee on Finance
2622-74	Committee on Finance
2623-74	Committee on Finance
2624-74	Committee on Judiciary and Corrections
2625-74	Committee on Finance
2626-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2627-74	Committee on Finance
2628-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2629-74	Jointly to the Committees on Consumer Protection, Judiciary and Corrections and Finance
2630-74	Committee on Education, then to the Committee on Finance, then to the Committee on Judiciary and Corrections
2631-74	Committee on Education, then to the Committee on Finance
2632-74	Committee on Housing, then to the Committee on Federal-State-County
2633-74	Committee on Labor and Public Employment, then to the Committee on Finance
2634-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection
2635-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection
2636-74	Committee on Labor and Public Employment
2637-74	Committee on Education, then to the Committee on Finance
2638-74	Committee on Tourism, then to the Committee on Finance
2639-74	Committee on Labor and Public Employment, then to the Committee on Finance
2640-74	Committee on Labor and Public Employment, then to the Committee on Finance
2641-74	Committee on Public Health and Welfare



**DEFERRED RESOLUTIONS**

The following resolutions (H.R. Nos. 238 to 240) were disposed of as follows:

H. R. No.	Referred to:
238	Committee on Housing, then to the Committee on Finance
239	Committee on Higher Education, then to the Committee on Finance
240	Committee on Housing, then to the Committee on Finance

**STANDING COMMITTEE REPORTS**

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 58-74) informing the House that House Bill Nos. 2611-74 to 2641-74, House Resolution Nos. 236 to 240, and Standing Committee Report Nos. 59-74 to 63-74 had been printed and distributed.

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

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 59-74) recommending that H. B. No. 1104 be referred to the Committee on Finance.

On motion by Representative Young, seconded by Representative Sakima and carried, the report of the Committee was adopted and H. B. No. 1104 was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 60-74) recommending that H. B. No. 2206-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2206-74, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, February 25, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 61-74) recommending that H. B. No. 2328-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2328-74, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, February 25, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 62-74) recommending that H. B. No. 2207-74, H. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2207-74, H. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, February 25, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 63-74) recommending that H. B. No. 2375-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2375-74, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, February 25, 1974.

The Chair directed the Clerk to note that printed copies of H. B. Nos. 2206-74, H. D. 1; 2328-74, H. D. 1; 2207-74, H. D. 1; and 2375-74, H. D. 1 were made available to the members of the House at 10:00 o'clock a.m.

The Chair then directed the Clerk to note the presence of Representatives Ajifu, Carroll, A. Chong, Iha, Kato, Kawakami, King, Kondo, Kunimura, Medeiros, Nakama, O'Connor and Poepoe.

**INTRODUCTION OF RESOLUTIONS**

The following resolutions (H. R. Nos. 241 to 243) and concurrent resolution (H. C. R. No. 30) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 241) offering congratulations and best wishes to Stephen Richard Pendleton Brady was jointly offered by Representatives Medeiros, Aduja, 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, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen, and Beppu.

On motion by Representative Medeiros, seconded by Representative Hapai and carried, H. R. No. 241 was adopted.

A resolution (H. R. No. 242) honoring Oahu's 1974 "Heart of the Year", Valerio Nolasco was jointly offered by Representatives Saiki, Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong,

Fong, Hapai, Iha, Kondo, Leopold, Medeiros, Medina, Morioka, Oda, Poepoe, Soares, Takamine, Wasai, Yamada and Yuen.

On motion by Representative Saiki, seconded by Representative Soares and carried, **H. R. No. 242** was adopted.

At this time, Representative Saiki introduced to the members of the House Mr. Valerio Nolasco. He was accompanied by Mr. Jack Gallagher, Assistant Director of Public Relations for the Hawaii Heart Association.

A resolution (**H. R. No. 243**) welcoming and supporting the First National Seminar for Asian Women to be held February 21-24, 1974, at Camp Kailani was jointly offered by Representatives Ajifu, Aduja, Aki, Amaral, Carroll, W. Chong, Fong, J. Garcia, Hapai, Iha, Lee, Leopold, Medeiros, Medina, Morioka, Nakama, Oda, Roehrig, Saiki, Soares, Uechi, Wasai, Wong, Yamada and Yuen.

On motion by Representative J. Garcia, seconded by Representative Soares and carried, **H. R. No. 243** was adopted.

At 10:07 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 10:09 o'clock a.m., the House of Representatives reconvened.

A concurrent resolution (**H. C. R. No. 30**) commending the Society of Seven for their selfless efforts and for their performance in the House Chambers for the enjoyment of the Student Observers for the fifth consecutive year was jointly offered by Representatives Beppu, Aki, Akizaki, Amaral, W. Chong, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kihano, Kishinami, Kondo, Kunimura, Lunasco, Medeiros, Medina, Morioka, Nakama, Oda, Poepoe, Soares, Suwa, Takamine, Uechi, Ushijima, Wedemeyer, Yamada, Yap, Yim and Yuen.

On motion by Representative Kihano, seconded by Representative Lunasco and carried, **H. C. R. No. 30** was adopted.

By unanimous consent, the following resolutions (**H. R. Nos. 244 to 248**) were referred to the Committee on Legislative Management and further action was deferred until Monday, February 25, 1974:

A resolution (**H. R. No. 244**) requesting the House Committees on Finance, Water, Land Use and Development, and Tourism to study tourist-oriented CIP expenditures and to evaluate such expenditures was offered by Representative R. Garcia.

A resolution (**H. R. No. 245**) relating to nepotism was offered by Representative Roehrig.

A resolution (**H. R. No. 246**) relating to obtain-

ing private financing to effectuate Act 307 of the 1967 Legislature was jointly offered by Representatives Medeiros, Aduja, Aki, Amaral, Carroll, W. Chong, Fong, Lee, Leopold, Lunasco, Oda, Poepoe, Saiki, Sakima, Takamine, Wasai, Yamada, Yap, Yim and Young.

A resolution (**H. R. No. 247**) requesting additional security guards at the University of Hawaii was jointly offered by Representatives Carroll, Fong, Saiki and Yap.

A resolution (**H. R. No. 248**) relating to silver bullion was jointly offered by Representatives Yap, Kihano, Kunimura, Lunasco, Medina and Yuen.

At 10:14 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, for the purpose of having the Society of Seven entertain the members of the House and the Student observers.

At 11:40 o'clock a.m., the House of Representatives reconvened.

#### INTRODUCTION OF BILLS

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the following bills (**H. B. Nos. 2642-74 to 2653-74**) passed First Reading by title and were referred to the Committee on Legislative Management:

#### H. B. No.

2642-74 "A Bill for an Act relating to the labeling of meat products."

Introduced by: Representative O'Connor, Aki, Akizaki, A. Chong, Cobb, J. Garcia, Kimura, Kunimura, Lee, Medeiros, Medina, Morioka, Oda, Roehrig, Sakima, Uechi, Ushijima, Wasai, Yamada and Yap.

2643-74 "A Bill for an Act relating to an amendment of Sections 571-74, Hawaii Revised Statutes, pertaining to the Juvenile Crime Prevention Bureau."

Introduced by: Representatives O'Connor, Aki, Akizaki, Carroll, A. Chong, J. Garcia, Kawakami, Kimura, Kunimura, Lee, Medeiros, Medina, Morioka, Roehrig, Sakima, Ushijima, Yamada and Yap.

2644-74 "A Bill for an Act relating to emancipation of certain minors."

Introduced by: Representatives O'Connor, Aki, Akizaki, A. Chong, Cobb, J. Garcia, Kawakami, Kimura, Kunimura, Lee, Medina, Morioka, Roehrig, Sakima, Uechi, Ushijima, Wasai and Yamada.

2645-74 "A Bill for an Act relating to illegitimacy and paternity."

Introduced by: Representatives O'Connor, Aki, Akizaki, Carroll, A. Chong, Cobb, J. Garcia, Kawakami, Kimura, Kunimura, Lee, Medeiros, Medina, Morioka, Oda, Roehrig, Sakima, Uechi, Ushijima, Yamada and Yap.

2646-74 "A Bill for an Act making an appropriation for Kawaiui Regional Park."

Introduced by: Representative Yuen.

2647-74 "A Bill for an Act relating to a state lottery."

Introduced by: Representative Carroll.  
(By Request)

2648-74 "A Bill for an Act relating to group life insurance."

Introduced by: Representatives Carroll, Aduja, Ajifu, Kunimura, Lunasco, O'Connor, Poepoe, Soares and Yap.

2649-74 "A Bill for an Act making appropriations for various projects in Lanai, Molokai, Maui County."

Introduced by: Representatives de la Cruz, Akizaki, Amaral, A. Chong, Iha, Kato, Kawakami, Kihano, King, Kondo, Kunimura, Lee, Lunasco, Medina, Nakama, O'Connor, Oda, Roehrig, Suwa, Takamine, Uechi, Wakatsuki, Wasai, Yap, Young and Beppu.

2650-74 "A Bill for an Act relating to dedication of homes for property tax relief."

Introduced by: Representatives Roehrig, Aki, Akizaki, Amaral, W. Chong, de la Cruz, Fong, J. Garcia, Hapai, Kondo, Kunimura, Lunasco, Suwa, Uechi, Wasai, Yamada, Yap, Yim, Young and Yuen.

2651-74 "A Bill for an Act relating to the regulation of trade in drugs."

Introduced by: Representative Yap.  
(By Request)

2652-74 "A Bill for an Act relating to advertising of prescription drugs."

Introduced by: Representative Yap.  
(By Request)

2653-74 "A Bill for an Act making an appropriation for the planning and development of a curriculum of study for legal paraprofessionals."

Introduced by: Representatives O'Connor, A. Chong, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kihano, Kimura, Kishinami, Lee, Medina, Uechi, Ushijima, Wasai, Wong, Young and Beppu.

#### SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the rules were suspended for the purpose of taking up bills on Third 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:

##### H. B. No. 2050-74

On motion by Representative Lee, seconded by Representative Takamine, **H. B. No. 2050-74** passed Third Reading by a vote of 47 ayes to 1 no, with Representative Poepoe voting no and Representatives Kihano, Wong and Yim being excused.

##### H. B. No. 2085-74

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, **H. B. No. 2085-74** was recommitted to the Committee on Water, Land Use and Development.

The Chair directed the Clerk to note that **H. B. No. 2050-74** had passed Third Reading at 11:41 o'clock a.m.

#### ADJOURNMENT

At 11:44 o'clock a.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. Monday, February 25, 1974.

## TWENTY-EIGHTH DAY

Monday, February 25, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Richard Kimm, Pastor of the Korean Christian Church, after which the Roll was called showing all members present with the exception of Representative Wasai who was excused.

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

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

### SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 13) returning House Concurrent Resolution No. 30 which was adopted by the Senate on February 22, 1974, was read by the Clerk and was placed on file.

### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 16 to 18) were read by the Clerk and were disposed of as follows:

A communication from Rex V. N. Perkins, Commanding Officer of the Department of the Army, Wolfhound Division, (Misc. Com. No. 16) acknowledging receipt of H. R. No. 203 was placed on file.

A communication from the Honorable Hiram L. Fong, United States Senator, (Misc. Com. No. 17) acknowledging receipt of H. R. No. 149 was placed on file.

A communication from Arthur A. Natella, Principal of Lincoln High School of Yonkers, New York, (Misc. Com. No. 18) acknowledging receipt of H. R. No. 148 was placed on file.

### ORDER OF THE DAY

### COMMITTEE REFERRALS

The following bills (H. B. Nos. 2642-74 to 2653-74) were disposed of as follows:

H. B. No.	Referred to:
2642-74	Committee on Consumer Protection
2643-74	Committee on Judiciary and Corrections

2644-74	Committee on Judiciary and Corrections
2645-74	Committee on Judiciary and Corrections
2646-74	Committee on Finance
2647-74	Committee on Labor and Public Employment, then to the Committee on Judiciary and Corrections, then to the Committee on Finance
2648-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection
2649-74	Committee on Finance
2650-74	Committee on Finance
2651-74	Committee on Consumer Protection
2652-74	Committee on Consumer Protection
2653-74	Committee on Higher Education, then to the Committee on Finance

### DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 244 to 248) were disposed of as follows:

H. R. No.	Referred to:
244	Committee on Tourism, then to the Committee on Water, Land Use and Development, then to the Committee on Finance
245	Committee on Judiciary and Corrections
246	Committee on Housing, then to the Committee on Finance
247	Committee on Higher Education, then to the Committee on Finance
248	Committee on Consumer Protection

### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 64-74) informing the House that House Bill Nos. 2642-74 to 2653-74, House Resolution Nos. 241 to 248, House Concurrent Resolution No. 30, and Standing Committee Report Nos. 65-74 to 70-74 had been printed and distributed.

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

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep.

No. 65-74) recommending that **H. B. No. 94, H. D. I** be referred to the Committee on Finance.

On motion by Representative Young, seconded by Representative Kunimura and carried, the report of the Committee was adopted and **H. B. No. 94, H. D. I** was referred to the Committee on Finance.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 66-74**) recommending that **H. B. No. 2082-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kato, seconded by Representative Medeiros and carried, the report of the Committee was adopted and **H. B. No. 2082-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 26, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 67-74**) recommending that **H. B. No. 2190-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kato, seconded by Representative Medeiros and carried, the report of the Committee was adopted and **H. B. No. 2190-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 26, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 68-74**) recommending that **S. B. No. 1481-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **S. B. No. 1481-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 26, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 69-74**) recommending that **S. B. No. 1514-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **S. B. No. 1514-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 26, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 70-74**) recommending that **S. B. No. 1518-74, S. D. 1** pass Second Reading and be placed on the calendar for Third 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. 1518-74, S. D. 1**, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 26, 1974.

The Chair here directed the Clerk to note that printed copies of **H. B. Nos. 2082-74, 2190-74** and **S. B. Nos. 1481-74, 1514-74** and **1518-74, S. D. 1, H. D. I** were made available to the members of the House at 11:30 o'clock a.m.

## INTRODUCTION OF RESOLUTIONS

A resolution (**H. R. No. 249**) congratulating Edward Y. Hirata, Engineer of the Year, was jointly offered by Representatives Young, Ajifu, Akizaki, Amaral, A. Chong, W. Chong, Cobb, J. Garcia, R. Garcia, Kawakami, Kihano, King, Kishinami, Kondo, Kunimura, Lunasco, Medina, Morioka, Nakama, Oda, Sakima, Soares, Suwa, Takamine, Uechi, Wakatsuki, Wedemeyer, Yamada, Yap and Yim and was read by the Clerk.

On motion by Representative Young, seconded by Representative Takamine and carried, **H. R. No. 249** was adopted.

By unanimous consent, the following resolutions (**H. R. Nos. 250 to 253**) and concurrent resolution (**H. C. R. No. 31**) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, February 26, 1974:

A resolution (**H. R. No. 250**) relating to hiring adults as permanent replacements for junior police officers was jointly offered by Representatives King, R. Garcia, Hapai, Iha, Kihano, Kimura, Leopold, Medina, Wasai and Yap.

A resolution (**H. R. No. 251**) requesting the Department of Social Services and Housing to study the impact of public utility rate increases on public assistance costs was jointly offered by Representatives R. Garcia and Kato.

A resolution (**H. R. No. 252**) congratulating Ralph Kiyosaki upon his appointment to the position of executive secretary of the Hawaii State Teachers Association was jointly offered by Representatives Nakama, Aduja, Akizaki, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Lunasco, Morioka, O'Connor, Oda, Roehrig, Saiki, Sakima, Suwa, Takamine, Uechi, Ushijima, Wasai, Wedemeyer, Yamada, Yap, Young and Yuen.

A resolution (**H. R. No. 253**) commending Representative Patsy Mink on her quick and effective actions was jointly offered by Representatives Yuen, Akizaki, Kimura, King, Kishinami, Oda, Sakima, Ushijima, Wasai and Yap.

A concurrent resolution (H. C. R. No. 31) relating to a review of a legislative data processing program was jointly offered by Representatives Suwa, Akizaki, Cobb, Kato, King, Kishinami, Kondo, Nakama, Roehrig, Takamine, Ushijima and Wakatsuki.

#### INTRODUCTION OF HOUSE BILLS

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the following bills (H. B. Nos. 2654-74 to 2675-74) passed First Reading by title and were referred to the Committee on Legislative Management:

#### H. B. No.

2654-74 "A Bill for an Act relating to the mechanic's lien law."

Introduced by: Representative Yap.

2655-74 "A Bill for an Act making an appropriation for archaeological research in Kalalau Valley, Kauai."

Introduced by: Representatives Kuni-mura, Kawakami and Yamada.

2656-74 "A Bill for an Act making an appropriation for Wilcox Memorial Hospital in the County of Kauai."

Introduced by: Representatives Kuni-mura, Kawakami and Yamada.

2657-74 "A Bill for an Act relating to the transfer of laundry positions and employees among the several hospitals on Oahu operated by the State of Hawaii."

Introduced by: Representative Lee.

2658-74 "A Bill for an Act making an appropriation for the reroofing of three buildings at Hilo Hospital."

Introduced by: Representatives W. Chong, J. Garcia, Suwa and Takamine.

2659-74 "A Bill for an Act relating to the inclusion of certain newspapers in the definition of a public utility."

Introduced by: Representative Akizaki.  
(By request)

2660-74 "A Bill for an Act relating to gun control."

Introduced by: Representative Akizaki.  
(By request)

2661-74 "A Bill for an Act relating to plan-

ning policy."

Introduced by: Representatives Iha, Morioka, Nakama, Oda, Takamine, Yamada and Young.

2662-74 "A Bill for an Act relating to park acquisition."

Introduced by: Representatives Iha, Morioka, Nakama, Oda, Takamine, Yamada and Young.

2663-74 "A Bill for an Act relating to a senior citizens veterans home."

Introduced by: Representatives R. Garcia and Kato.

2664-74 "A Bill for an Act making a supplemental appropriation for Kalakaua Recreation Center, Oahu."

Introduced by: Representatives R. Garcia and Lee.

2665-74 "A Bill for an Act making an appropriation for capital improvement projects at Kaala Elementary School."

Introduced by: Representatives Oda and Lunasco.

2666-74 "A Bill for an Act making an appropriation for a multi-purpose service center at Haleiwa."

Introduced by: Representatives Oda and Lunasco.

2667-74 "A Bill for an Act making an appropriation for capital improvement projects in the Twenty-Second Representative District of Hawaii."

Introduced by: Representatives Oda and Lunasco.

2668-74 "A Bill for an Act making an appropriation for capital improvement projects at Poamoho Agricultural Experiment Station."

Introduced by: Representatives Oda and Lunasco.

2669-74 "A Bill for an Act making an appropriation for capital improvement projects under the Department of Education in the Fifteenth Representative District."

Introduced by: Representatives Kimura, Yim, Iha and Wong.

2670-74 "A Bill for an Act relating to the University of Hawaii."

Introduced by: Representatives Sa-



kima, Kihano and Young.

- 2671-74 "A Bill for an Act making an appropriation for plans, construction, equipment, and transfer of materials for Kohala Community-School Library County of Hawaii."

Introduced by: Representatives Takamine, Akizaki, W. Chong, J. Garcia, Hapai, Iha, Kihano, Lee, Medina, Nakama, Roehrig, Saiki, Soares, Suwa, Wedemeyer, Yap, Young and Yuen.

- 2672-74 "A Bill for an Act making an appropriation for library materials, Honokaa School Library, County of Hawaii."

Introduced by: Representatives Takamine, Akizaki, W. Chong, J. Garcia, Hapai, Iha, Kihano, Lee, Medina, Morioka, Nakama, Roehrig, Saiki, Soares, Suwa, Wedemeyer, Yap, Young and Yuen.

- 2673-74 "A Bill for an Act relating to taxation."

Introduced by: Representatives Kuni-mura, Akizaki, A. Chong, Iha, Kawakami, Kihano, Kimura, Kishinami, Kondo, Medina, Morioka, Nakama, Poepoe, Roehrig, Sakima, Suwa, Takamine, Ushijima, Wakatsuki, Wedemeyer, Wong, Yamada, Young and Yuen.

- 2674-74 "A Bill for an Act relating to indecent exposure."

Introduced by: Representatives Kuni-mura, Akizaki, A. Chong, Iha, Kawakami, Kihano, Kimura, Kishinami, Kondo, Medina, Morioka, Nakama, Poepoe, Roehrig, Sakima, Suwa, Takamine, Ushijima, Wakatsuki, Wedemeyer, Wong, Yamada, Young and Yuen.

- 2675-74 "A Bill for an Act making contribution of corporate funds for political purposes unlawful."

Introduced by: Representatives Kuni-mura, Akizaki, A. Chong, Iha, Kawakami, Kihano, Kimura, Kishinami, Medina, Morioka, Nakama, Roehrig, Sakima, Suwa, Takamine, Ushijima, Wakatsuki, Wedemeyer, Wong, Yamada and Young.

At 11:39 o'clock, the Chair declared a recess, subject to the call of the Chair.

At 12:32 o'clock p.m., the House of Representatives reconvened.

### SUSPENSION OF RULES

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

### THIRD READING

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

#### H. B. No. 2206-74

On motion by Representative Suwa, seconded by Representative Akizaki, **H. B. No. 2206-74** passed Third Reading by a vote of 49 ayes, with Representatives Wong and Wasai being excused.

#### H. B. No. 2328-74

On motion by Representative Suwa, seconded by Representative Akizaki and carried, **H. B. No. 2328-74, H. D. 1** was recommitted to the Committee on Finance.

#### H. B. No. 2207-74

On motion by Representative Suwa, seconded by Representative Akizaki, **H. B. No. 2207-74** passed Third Reading by a vote of 49 ayes, with Representatives Wong and Wasai being excused.

#### H. R. No. 2375-74

On motion by Representative Suwa, seconded by Representative Akizaki, **H. B. No. 2375-74** passed Third Reading by a vote of 49 ayes, with Representatives Wong and Wasai being excused.

The Chair here directed the Clerk to note that **H. B. Nos. 2206-74, 2207-74 and 2375-74** passed Third Reading not earlier than 12:33 o'clock p.m.

At 12:34 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 12:35 o'clock a.m., the House of Representatives reconvened.

### ADJOURNMENT

At 12:37 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, February 26, 1974.



## TWENTY-NINTH DAY

Tuesday, February 26, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Dr. Julius J. Nodel, Rabbi of Temple Emanu-El, after which the Roll was called showing all members present with the exception of Representatives Hapai, Lee, Sakima and Young who were excused.

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

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

### SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 14) returning House Bill No. 991 which passed Third Reading in the Senate on February 25, 1974, was read by the Clerk and was placed on file.

By unanimous consent, H. B. No. 991 was placed on the Clerk's desk.

At this time, Representative Takamine rose and asked the Chair if he could make an introduction and having been granted permission, stated:

"Thank you, Mr. Speaker and members of this Honorable Body:

It is very seldom that I have an opportunity to make an introduction, so I ask for your indulgence if this introduction is neither ordinary nor brief because the person I would like to introduce to you, Mr. Speaker and members of the House, is not here to be recognized this morning.

I am sure most of you have noticed his conspicuous absence this session. After all, he has never missed a session since 1955.

The man I speak of was born April 18, 1922, in Puuene, Maui, where he grew up and attended school. He was an outstanding athlete, especially in baseball and basketball. He was known as a very aggressive competitor.

He moved to the Island of Hawaii where he worked with the Civilian Conservation Corps, then for Hilo Transportation and Terminal Company. He then began to take an active part in the labor movement, especially in the areas of legislative and public service. Let me re-cap bits of this career:

In January, 1962, he was appointed to the Advisory Committee to the Director of the State Department of Labor and Industrial Relations.

From 1967 to 1968, he served as a member of the Citizen's Committee advising the Senate on legislative process.

In November, 1968, he was appointed to the Senate-House Advisory Committee reviewing the allowance for personal expenses of members of the Legislature.

In the March 27, 1969 issue of the Honolulu Advertiser, an article referred to him as the 'top lobbyist' in the State of Hawaii.

That article, written by then Associate Editor Gardiner Jones, says, and I quote: 'by virtually unanimous testimony from lobbyists and legislators alike, he was the most effective single lobbyist. . . A lobbying colleague who represents a business interest says: 'I think that due to the years he's put in, the back-up research behind him, and his extreme honesty, he has got to be the outstanding guy. Nobody ever caught him lying, and he has the facts.'

In December 1970, he was appointed to the Western States Regional Manpower Advisory Committee. He was re-appointed in August, 1973.

In May, 1971, he was appointed to the State Commission on Legislative Salary.

In December, 1972, he was appointed to the State Temporary Visitor Industry Council.

Due to his many years of hard and dedicated lobbying, the State of Hawaii has perhaps the most outstanding labor legislation in the nation.

All the working people of our State, as well as other segments of our society, are currently enjoying the fruits of his efforts.

I know that he would have wanted to be here today, up there in the gallery, for lobbying was not just his job—he enjoyed every minute he spent here.

Mr. Speaker and members of this Honorable Body, the man I just introduced can't be here today. Nor will we see him again, because Mr. Edward DeMello, Legislative Representative of the ILWU since 1955, passed away in the afternoon of Monday, February 25, 1974.

I know I am not the only one here who would like to pay tribute to this singular individual. The greatest, perhaps the only fit-

ting tribute we here today can make to Eddie DeMello, is to recommit ourselves to making Hawaii the best State in the nation.

For, though Eddie DeMello came from the ranks of labor, he believed in and worked for a better quality of life for all.

Mr. Speaker, may I now ask for a short recess so members of this Body may sign the resolution for Eddie DeMello which is on the Clerk's desk.

Thank you."

At 11:40 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:49 o'clock a.m., the House of Representatives reconvened.

At this time, Representative Kihano, introduced to the members of the House the Honorable Clarence H. Heflin, a member of the House of Representatives of the State of Missouri; Mr. Fred Peterson of Claremore, Oklahoma; Mr. Bill Aziere of Kansas City, Missouri; Mr. Glen Binger of Blue Springs, Missouri; and Mr. and Mrs. Archie McGee. They are attending the Independent Grocers' Association Convention here in Honolulu.

The Chair then appointed Representatives Kawakami, Yamada and Carroll to escort Representative Heflin to the rostrum whereupon he addressed the members of the House as follows:

"Mr. Speaker, ladies and gentlemen of the House:

I certainly consider this a privilege and an honor to be here with you this morning. We are in session in Missouri at this time; however, I'm a grocer by trade so I said to hell with it, I'm going to Hawaii. I did have the opportunity to get permission from our Speaker to allow me to come here so I'm really not tardy—I have permission to be here. I'm sorry my wife is not with me this morning. We had a couple of tours already throughout the Island, and you people do a splendid job on tourism. One of the tour guides mentioned: 'Bring greenbacks—help keep Hawaii green.' My wife is out doing that this morning.

I am Clarence Heflin from Independence, Missouri. I'm a Democrat. I've been in the House of Representatives now for almost eight years. I do consider it a privilege and an honor to be a part of the House of Representatives. We have 163 members in our Body, and 34 Senators—which we call the lower house. They like to speak of themselves as the House of the Lords, but we don't quite feel that way in the House of Representatives.

At the current time, we're serving about 4.5 million in our population. So with 163 House members and 34 Senators, we have in the House about 28,00 to 30,000 people in our own district. We have discussed cutting down our House membership, but we like to feel that we're closer to the people in the State of Missouri by having more members in the House. At the present time, we're serving on annual sessions. We're serving 4-½ months this year, and next year will be 5-½ months.

I do have a bill in the House at this time—I hope that nobody kills it while I'm gone—to raise the salaries of the Legislature from \$8,400 to \$15,000. Of course, the press doesn't seem to think that we earn our money. Now, for some reason or other, they have a guide somewhere along the lines that doesn't go along with our thinking. But we think we have a real good strong legislative body in Missouri. At the present time, we have a Republican Governor, Lieutenant Governor and a Democratic House and a Democratic Senate majority. So we have some things going as you might expect.

I'm currently serving on five committees. I happen to chair the Committee on Fiscal Affairs, which has to do with all the agencies and institutions, changing their line items on the appropriations. If they could see their way clear to change the House and Senate membership, why then we'd allow this to happen. I'm also serving as Vice-Chairman of the Appropriations Committee. I'm serving on the Insurance Committee, Banks and Financial Institutions, which is real lucrative—we get a lot of free meals on that one. And also on State Parks and Recreation. But it is real good; I enjoy it. At the present time, we have passed through the House of Representatives the bill on the death penalty which is modified somewhat. But I think it's good; I voted in favor of this death penalty. I think it's almost mandatory now. Also, we are currently passing a bill in the House—a bill on no-fault insurance which I'm sure is completely a misnomer. You can buy your own insurance anytime you want to. But the people are going to wake up someday and they're going to find that no-fault insurance is not no-fault insurance. It's a buy-your-own insurance plan. But it's good. I think that it's time that we have something of this nature.

We have about a \$2 billion budget this year. The Governor's trying to cut it down, but we're not going to let him—we're going to spend that money. Last year, we did pass a bill to allow the senior citizens of Missouri a little tax break. It's not too much—you have to be a pauper almost to get part of it. But it's a start. The State of Kansas has a real good one this year so we're going to try to update ours next year.

Well, Mr. Speaker, ladies and gentlemen of this House, it's certainly been my pleasure to be here this morning. I want to invite each and every one of you to come to the State of Missouri and we'll make an honorary page to serve you without compensation when you get there.

Thank you very much."

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

Upon reconvening at 1:01 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Hapai, Lee and Sakima.

#### ORDER OF THE DAY

##### COMMITTEE REFERRALS

The following bills (H. B. Nos. 2654-74 to 2675-74) were disposed of as follows:

H. B. No.	Referred to:
2654-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections
2655-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2656-74	Committee on Finance
2657-74	Committee on Labor and Public Employment, then to the Committee on Finance
2658-74	Committee on Finance
2659-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections.
2660-74	Committee on Federal-State-County, then to the Committee on Judiciary and Corrections.
2661-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2662-74	Committee on Finance
2663-74	Committee on Public Health and Welfare, then to the Committee on Finance
2664-74	Committee on Finance
2665-74	Committee on Finance
2666-74	Committee on Finance
2667-74	Committee on Finance
2668-74	Committee on Finance

2669-74	Committee on Finance
2670-74	Committee on Higher Education, then to the Committee on Finance
2671-74	Committee on Finance
2672-74	Committee on Finance
2673-74	Committee on Finance
2674-74	Committee on Judiciary and Corrections
2675-74	Committee on Judiciary and Corrections

##### DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 250 to 253) and concurrent resolution (H. C. R. No. 31) were disposed of as follows:

H. R. No.	Referred to:
250	Committee on Education, then to the Committee on Federal-State-County
251	Committee on Public Health and Welfare

By unanimous consent, H. R. Nos. 252 and 253 were placed on the Clerk's desk.

H. C. R. No. 31 was referred jointly to the Committees on Legislative Management and Finance.

At this time, Representative Uechi rose and stated:

"Mr. Speaker, regarding the referral, I moved to appeal the Chair's referral of the following no-fault bills by having them referred to the Committees on Consumer Protection, Judiciary and Finance consecutively, rather than jointly to the said Committees. I believe the Clerk has circulated the bills in writing."

The motion was seconded by Representative Wong.

The Chair then stated:

"The question before the House is an appeal on the referrals of the eleven bills as listed on the memorandum issued by the Representative."

Representative Uechi stated:

"Mr. Speaker, do you wish to make an explanation or...I'm ready with my comments."

The Chair replied:

"You don't need any comments because I think your memorandum here is complete."

Representative Uechi further stated:

"Mr. Speaker, what I would like to do would be to speak in favor of this motion."

The Chair replied:

Obviously you are in favor. Proceed. Representative Uechi, the Chair will warn you, will you please restrict yourself just to the procedure involved in the referral."

Representative Uechi spoke in favor the motion as follows:

"Mr. Speaker, there are questions in the minds of many of us who have worked for reforms of the House Rules that the referral procedures established are not being complied with.

There are numerous other referrals in question; however, to argue the point, I have confined the question to referrals of the no-fault automobile insurance bills.

Mr. Speaker, the central issue of the reforms in the committee structure and responsibilities are embodied in the concept of primary responsibility and prior concurrence. Your referrals of these insurance bills destroy this very concept.

House Rule 6-(16) reads as follows: 'The Speaker shall, within five session days, refer all bills to Committee subject to the appeal of the House. In referring bills to one or more standing committees, the first referral shall be to the standing committee whose area of responsibility as described in Part 2 of these rules is most closely related to the subject matter contained in the bill being referred. In the case of multiple committee referrals, the Speaker shall name the standing committee referred to in the sentence immediately preceding as the committee having primary responsibility for the drafting of and to make recommendations for action on the bills so referred.'

This rule is explicit in that the first referral shall be to the committee having been described in the rules as having responsibility relating to the subject matter over which it has jurisdiction. In no way does the rule allow the Speaker the power to refer to a joint committee. Mr. Speaker, I know that this has been done in the past. The abuses of past practices were the primary force behind the reform rules that we are working on today.

Mr. Speaker, without the designation of the primary committee, responsibilities cannot be placed on the committee chairman

nor its members. Not only the concept of primary responsibility is destroyed but also the concept of prior concurrence.

Mr. Speaker, if the primary committee is not identified, then how are you going to reconcile Rule 15 (1) (d) regarding Conference Committees. In this also, Mr. Speaker, it reads: 'The chairman of the conference committee on the part of the House shall be the chairman of the standing committee having primary responsibility of this subject matter to be resolved.'

Mr. Speaker, the rule is perfectly clear. You yourself must have considered it so when your initial referral of H. B. 2272 on January 24th and H. B. 2242 on January 31st were referred to Consumer Protection, Judiciary and Finance Committees consecutively. On February 14th, these two bills were then re-referred to the three committees jointly.

There is a common expression that rules are made to be broken. Well, Mr. Speaker, I, for one, will not play that game.

Mr. Speaker, I'm not asking that the referral to any of the three committees be deleted—I only ask that the rules of the House be adhered to.

Members of the House, I urge that you examine the rules and vote accordingly.

Thank you, Mr. Speaker."

Representative O'Connor then rose to speak in favor of the decision of the Chair on this particular referral as follows:

"The Speaker has referred the bills pertaining to the no-fault law to three committees being the Consumer Protection, Judiciary and Finance Committees. This is identical, Mr. Speaker, to the referral which was made of the bills last year and identical to the manner in which those bills were handled by this Honorable Body last year. In handling those bills last year, the three committees had joint hearings which took many, many hours of testimony from all segments of the community. If the bills were referred individually to the individual committees, that testimony would have to be repeated and would have to be repeated again this year, hour after hour, in the different committees.

In addition, the committees, while deliberating on the bills, deliberated together and worked extremely well, smoothly and thoroughly in coming up with a product. That product, which was the House version of the no-fault bill, passed this Honorable Body and was uniformly felt to be a good product. Mr. Speaker, again this year, the

bills have been referred to the three committees for joint action. Tonight, the first meeting of these three committees jointly is being held and public testimony will be received at that meeting. I understand there will be another hearing tomorrow evening by the three committees on the same subject matter. For the expeditious, logical, simple handling of these pieces of legislation, Mr. Speaker, the joint referral to the three committees is certainly the better referral."

Representative Kimura rose and spoke against the appeal as follows:

"Mr. Speaker, this bill, or the bills that are referred to in the appeal, concern what we call the no-fault insurance bill and there was much discussion by you and the leadership with respect to the referrals. And the decision, after much deliberation, was that of a joint referral rather than the consecutive route that is suggested by the appeal. Now, this matter of joint referral was a matter of discussion when we discussed the rules before the session started and in the formulation of so-called reforms. At no time was the matter of joint referrals declared illegal, or improper, or in violation of the principles that we sought to incorporate in the rules and that is like prior concurrence and the fixing of the primary responsibility committee. The bill is of such magnitude that many of us look to it, or the amendments to the no-fault bill, as probably one of the real 'heavies' or the 'heaviest' of all legislation. And I believe that there were many people or Representatives at the outset of the session when we were discussing rules saying that there were certain measures in which every single member of the House is going to have a vital concern with. It was also suggested in many of these instances that perhaps we should consider these bills and have hearings as a committee of the whole—the committee of the entire House. And no-fault insurance is one of these real 'heavies.' So it is really no magic, Mr. Speaker, that we should have only one committee pinpointed and pinpointed with the responsibility because that responsibility lies with all of us. And as the Majority Leader had stated earlier, last year when we came out with the bill, the version that we worked on, we had a joint referral to the three committees and I served on two of those committees and that is the Judiciary and Consumer Protection Committees in the last session. I felt that, as a committee member of these two committees, that the joint referral worked well. As far as responsibility is concerned, the three committee chairmen and the committee members had that prime responsibility. I think that at tonight's hearing, we're going to find not only the members of the three committees but a good number of us present and perhaps asking questions.

Mr. Speaker, I think the joint referral is appropriate because the aspects of the bills which has concerns of the Judiciary Committee when we talk about the forfeiture of the cause of actions with respect to tort actions, and the reimbursement with respect to costs when a judgment is obtained in a case..."

At this time, Representative Cobb rose on a point of order and stated that the merits of the bill were not being discussed.

Representative Kimura concluded:

"Mr. Speaker, suffice it to say that the Finance Committee, the Judiciary Committee and the Consumer Protection Committee all have concerns with respect to this bill and accordingly, I urge all our members to vote against the appeal and to sustain the Chair's ruling."

Representative R. Garcia rose to speak in favor of the appeal as follows:

"Mr. Speaker, the last speaker alluded to the fact that three of these committees—Consumer Protection, Judiciary and Finance—each have an interest in this particular piece of legislation. That is true. Another of the speaker mentioned that a lot of these subject areas were covered last year by these three particular committees jointly. That is also true. But it is because of these particular reasons that we feel the primary committee should be the Consumer Protection Committee.

The subject matter concerning no-fault have been taken care of by these three committees last year. This year, what we are concerned with are technical amendments to these particular areas. The primary jurisdiction should be in the hands of the Consumer Protection Committee. Now, we are not trying to subvert the process by trying to say that Consumer Protection Committee should be the only committee that you go to. On the contrary, we would like to do what Representative Kimura suggested—have Judiciary Committee go over the legal areas and have the Finance Committee go over the financial areas. There is not reason why Consumer Protection Committee cannot be maintained as the primary committee. And because of this reason, I feel that we should vote in favor of this particular appeal.

Also, Mr. Speaker, to clarify my position as an Assistant Majority Leader, it is true that we have had discussions with the leadership regarding this particular referral. But we have never reached a consensus in leadership that all of these bills should be referred jointly. So let me please clear up that misconception that people may have on this floor. Because of these reasons, I urge

all of my colleagues to vote in favor of this appeal.

Thank you."

Representative Cobb then made an observation in favor of the appeal as follows:

"Some of the previous speakers alluded to the fact that last year we had a joint referral; however, I would point out that last year we did not have prior concurrence. Last year, we did not have a primary committee insofar as the responsibility would be concerned with prior concurrence applying in all situations. So the situation this year as opposed to last year is radically different. This year, under our new rules establishing prior concurrence, we do need to establish very clearly the committee with primary responsibility.

Thank you, Mr. Speaker."

Representative Wong then rose and stated:

"Mr. Speaker, I would like to speak in favor of the appeal. Mr. Speaker, I just have a very short comment to make. I think one of the understandings that all of us—all 51 of us in this House—when we voted for reform, was not only the question of referrals, but I think a much more basic principle.

Mr. Speaker, I think for a long time, in this hallowed hall, we have talked about responsibility and accountability. I, for one, Mr. Speaker, did not agree last year with the no-fault bill; therefore, I voted against it. I would hate to see, Mr. Speaker, that a no-fault bill on a joint referral be killed here in this particular House. All I'm saying is, Mr. Speaker, I think it is about time we had new rules. This is a new game and I think responsibility goes hand in hand with accountability.

Thank you, Mr. Speaker."

Representative Kato then rose and stated:

"As I was about to say, Mr. Speaker, last year's experiences with the bill has little relevance here. We are operating on, supposedly, a new set of rules—a reform rules of the House. Now, the wiping out of the concept of primary responsibility committees and prior concurrence done in such a cavalier manner does not sit well with me, Mr. Speaker.

I recall stating, when the new rules were adopted, that rules per se are not the panacea, it's the administration of the rules that is more important. I guess the message has not gotten through, Mr. Speaker. Perhaps it's just as well."

The Chair then stated:

"An aye vote sustains the ruling of the Chair. A no vote is against the Chair. The question before the House. . ."

Representative Uechi interrupted:

"Mr. Speaker, I had a motion on the floor. Could you explain the vote?"

The Chair responded:

"You have an appeal of the referral of the bill. You are appealing the ruling of the Chair regarding referrals. An aye vote is for the Chair's referral. A nay vote is against the Chair's referrals."

Representative Uechi then requested a roll call vote.

A roll call vote on the appeal was taken and the Chair's ruling was upheld by a vote of 29 ayes to 22 noes, with Representatives Ajifu, Aki, Amaral, A. Chong, W. Chong, Cobb, J. Garcia, R. Garcia, Kato, King, Lee, Leopold, Lunasco, Medeiros, Oda, Soares, Uechi, Wasai, Wong, Yamada, Yim and Yuen voting no.

#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 71-74) informing the House that House Bills Nos. 2654-74 to 2675-74, House Resolution Nos. 249 to 253, House Concurrent Resolution No. 31, and Standing Committee Report Nos. 72-74 to 96-74 had been printed and distributed.

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

Representative Akizaki, for the Committee on Legislative Management, presented a report with data supply by the Manager of the Printshop (Stand. Com. Rep. No. 72-74).

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

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 73-74) recommending that H. B. No. 1204, be recommitted with certain amendments.

On motion by Representative Young, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H. B. No. 1204, as amended, was recommitted to the Committee on Housing.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 74-74) recommending that H. B. No. 2226-74 pass Second Reading and be referred to



the Committee on Finance.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and **H. B. No. 2226-74** passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 75-74**) recommending that **H. B. No. 440** be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 440** was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 76-74**) recommending that **H. B. No. 442** be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 442** was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 77-74**) recommending that **H. B. No. 444** be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 444** was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 78-74**) recommending that **H. B. No. 445** be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 445** was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 79-74**) recommending that **H. B. No. 563** be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 563** was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 80-74**) recommending that **H. B. No. 681, H. D. 1** be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 681, H. D. 1** was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 81-74**) recommending that **H. B. No. 865** be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 865** was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 82-74**) recommending that **H. B. No. 867, H. D. 1** be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 867, H. D. 1** was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 83-74**) recommending that **H. B. No. 1159, H. D. 1** be referred to the Committee on Consumer Protection.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 1159, H. D. 1** was referred to the Committee on Consumer Protection.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 84-74**) recommending that **H. B. No. 1498** be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 1498** was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 85-75**) recommending that **H. B. No. 1504, H. D. 1** be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takamine and carried, the re-



port of the Committee was adopted and **H. B. No. 1504, H. D. 1** was referred to the Committee on Finance.

Representative Akizaki, for the Committee on Legislative Management, presented a report (**Stand. Com. Rep. No. 86-74**) recommending that **H. B. No. 2431-74** be referred to the Committee on Finance with certain amendments.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted and **H. B. No. 2431-74**, as amended, was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 87-74**) recommending that **H. B. No. 1158** pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 1158**, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 88-74**) recommending that **H. B. No. 2049-74** pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 2049-74**, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (**Stand. Com. Rep. No. 89-74**) recommending that **H. R. No. 144** be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, the report of the Committee was adopted and **H. R. No. 144** was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (**Stand. Com. Rep. No. 90-74**) recommending that **H. C. R. No. 12** be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, the report of the Committee was adopted and **H. C. R. No. 12** was referred to the Committee on Finance.

Representative Lunasco, for the Committee on

Federal-State-County, presented a report (**Stand. Com. Rep. No. 91-74**) recommending that **H. B. No. 2215-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, the report of the Committee was adopted and **H. B. No. 2215-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 27, 1974.

Representative Iha, for the Committee on Transportation, presented a report (**Stand. Com. Rep. No. 92-74**) recommending that **H. B. No. 2222-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and **H. B. No. 2222-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 27, 1974.

Representative Iha, for the Committee on Transportation, presented a report (**Stand. Com. Rep. No. 93-74**) recommending that **H. B. No. 2228-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and **H. B. No. 2228-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 27, 1974.

Representative Iha, for the Committee on Transportation, presented a report (**Stand. Com. Rep. No. 94-74**) recommending that **H. B. No. 2371-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and **H. B. No. 2371-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 27, 1974.

Representative Iha, for the Committee on Transportation, presented a report (**Stand. Com. Rep. No. 95-74**) recommending that **S. B. No. 1509-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and **S. B. No. 1509-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 27, 1974.

The Chair directed the Clerk to note that printed copies of **H. B. Nos. 2215-74, 2222-74, 2228-74 and 2371-74** and **S. B. No. 1509-74** were made available to the members of the House at 11:30 o'clock a.m.

Representative Akizaki, for the joint Committees on Legislative Management and Finance, presented a report (Stand. Com. Rep. No. 96-74) recommending that H. R. No. 225 be adopted.

Representative Akizaki then moved that H. R. No. 225 be adopted, seconded by Representative Suwa.

At this time, Representative Akizaki rose and stated as follows:

"Mr. Speaker, I speak in favor of the resolution before us. And I believe that, appreciated in the right spirit, it is a resolution all members of the House should support:

To be sure, there may be some reservations in the minds of some members. I state in all candor that I, too, had some reservations. First, the question in my mind was whether the special audit called for by the resolution would not duplicate, in whole or in part, the audit conducted by the Department of Accounting and General Services. And I further questioned whether a second audit might be inferred to reflect unfavorably on the professionalism of the auditors who conducted that audit. I am now fully assured that no duplication is intended and no unfavorable reflection should be inferred.

As our own Legislative Auditor reminds us from time to time, no particular audit can be that comprehensive that each and every aspect of an operation, every transaction, can be covered in any single engagement. Each audit has a particular emphasis and a particular focus. I believe that the special audit called for will expand upon and look into different aspects of our operations not previously emphasized.

Any further delay would simply raise more questions. I believe that, by acting on this matter now, we are telling the public that we are fully accountable to them, and we demonstrate this not merely by words but also by action.

As Chairman of the Committee on Legislative Management, I have an immediate interest in the improvements which might be made to the financial operations of the House. I believe that the audit will help us in bringing about improvements.

And finally, Mr. Speaker, this Honorable Body is the servant of the public and we can serve the public well only if we can continue to earn its confidence. To earn that confidence, we must continuously hold ourselves open to the public and be willing to say: Whatever may be wrong, we shall correct. . . whatever we can do to improve this Honorable Body, that we shall do. That is what I declare to the public and I urge my

colleagues to join me in that declaration by voting for this resolution."

Representative Ajifu then rose and stated as follows:

"Mr. Speaker, I rise to speak in favor of this resolution.

Mr. Speaker, I find it imperative to first make it absolutely clear that in offering this resolution, I am not suggesting that any single member of this Honorable Body has in any way mishandled public funds.

This is an extremely important point, and it bears repeating: I am not, repeat not, singling out any individual here and saying that he or she has been guilty of the slightest intentional wrongdoing. As the resolution does say, however, we have to face directly up to the fact that there currently exists considerable public concern with respect to the present manner in which the House of Representatives manages the funds entrusted to it. An independent audit which will examine every penny this Body has spent since 1973—from travel to office supplies—is for me personally the only satisfactory response to the problem we now confront. We must also squarely face up to the fact that the main reason for this public concern arises from the secrecy in which House financial operations were conducted.

Mr. Speaker, this is not a pleasing revelation for any of us here, but I am truly convinced that the urgency of the situation is such that immediate and forceful corrective action is the only appropriate course we can now pursue.

Just as important as the matter of regaining public confidence with respect to the management of legislative funds, this audit gives us the opportunity to update and improve our present accounting procedure to make the operations of this Honorable Body as efficient as possible.

Sound and efficient management of funds, together with scrupulous and open accounting is after all, not only excellent business practice but, in the long run, very good for politics.

Mr. Speaker, before I close, I would like to thank the Chairman of the Legislative Management Committee and the Chairman of the Finance Committee in the speedy manner they have reported the resolution out.

For these many reasons, I urge your full support of this resolution.

Thank you very much."

Representative Cobb then stated as follows:

"Mr. Speaker, I rise to speak in favor of the resolution.

The spirit of the resolution is expressed in its second paragraph—that is the sunshine spirit of open government operations in this House.

Since we have already adopted reform rules for this House, our next logical step is to implement the practice of those reforms designed to achieve open government. In addition, Mr. Speaker, we are following the procedure already agreed upon; namely, that if the DAGS audit was not satisfactory or lacked detail, then we should proceed with an independent, detailed audit of our financial workings.

I also note that the scope of this resolution has been expanded from an earlier proposal to include not only trips and per diem, but also hiring practices and equipment purchases or rentals—in short, the entire range of legislative expenses.

It should be made clear, Mr. Speaker, this resolution is not aimed at anyone in particular, but is designed to clear the air of any remaining doubts or suspicions, whether on the part of legislators or members of the public. The best way to do this is a systematic, detailed, independent audit of the way this House spent our taxpayers' money in the fiscal period just ended.

So, in a spirit of openness, Mr. Speaker, I urge the adoption of this resolution and, for that, I would like to ask for a roll call vote."

Representative O'Connor then rose and spoke in favor of the resolution as follows:

"Mr. Speaker, as you well know, I also introduced a resolution along these lines. I was concerned, Mr. Speaker, that the audit called for in the present resolution would only duplicate the audit which had already been performed by DAGS. I am very happy to hear the Chairman of the Committee this morning report that there will be little or no duplication in the two audits. I also note in the committee report that this audit will cost an excess of \$20,000. This taxpayers' money, Mr. Speaker, is well spent, if, in fact, the audit does not duplicate the DAGS audit and does clear the air in the matters of legislative expenditures.

For these reasons, Mr. Speaker, and because of the committees' report. I ask all of my colleagues to vote aye for this resolution."

Representative Kimura then rose and stated:

"Mr. Speaker, I also speak in favor of the resolution.

To be very short and brief, I think this is an indication of our faith and belief in the committee system and I think our committee, in coming out in less than a week with a report—I am very proud, Mr. Speaker."

Roll call having been requested, the motion to adopt **H. R. No. 225** was put by the Chair and carried, and the report of the Committee was adopted and **H. R. No. 225** was adopted by a vote of 51 ayes.

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

By unanimous consent, **H. R. No. 252** was taken from the Clerk's desk.

On motion by Representative Nakama, seconded by Representative Iha and carried, **H. R. No. 252** was adopted.

By unanimous consent, **H. R. No. 253** was taken from the Clerk's desk.

On motion by Representative Yuen, seconded by Representative Sakima and carried, **H. R. No. 253** was adopted.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (**H. R. Nos. 254** and **255**) were read by the Clerk and were disposed of as follows:

A resolution (**H. R. No. 254**) honoring Edward De Mello was jointly offered by Representatives Takamine, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garica, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunitura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Takamine, seconded by Representative de la Cruz and carried, **H. R. No. 254** was adopted.

A resolution (**H. R. No. 255**) congratulating the administration, instructors and staff of the Licensed Practical Nursing Program of the Kauai Community College was jointly offered by Representatives Kunitura, 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, 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 Kunimura, seconded by Representative Kawakami and carried, **H. R. No. 255** was adopted.

By unanimous consent, the following resolutions (**H. R. Nos. 256 to 264**) and concurrent resolutions (**H. C. R. Nos. 32 and 33**) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, February 27, 1974:

A resolution (**H. R. No. 256**) relating to the establishment of a Filipino studies program at the University of Hawaii was jointly offered by Representatives Kimura, de la Cruz, R. Garcia, Iha, Kihano, Medina, Nakama, Sakima and Beppu.

A resolution (**H. R. No. 257**) relating to the teacher tenure period of the Department of Education was offered by Representative Lee.

A resolution (**H. R. No. 258**) requesting hearings on the alcohol and drug program in the State was jointly offered by Representatives R. Garcia and Kato.

A resolution (**H. R. No. 259**) requesting the Federal Energy Office to consider the unique situation of the commercial fishermen on the west coast of the island of Hawaii when establishing allocable amounts of petroleum products was jointly offered by Representatives Hapai, Amaral and Wong.

A resolution (**H. R. No. 260**) requesting a study of the voter referendum and voter initiative was offered by Representative Wasai.

A resolution (**H. R. No. 261**) requesting the consideration of amendments to the laws relating to firearms was jointly offered by Representatives Roehrig and Suwa.

A resolution (**H. R. No. 262**) requesting the commendation of legislation in the event the exclusionary rule is overturned was jointly offered by Representatives Roehrig, W. Chong, Hapai, Suwa and Takamine.

A resolution (**H. R. No. 263**) requesting the establishment of an interim committee to study and propose legislation relating to arrest and pre-trial release was jointly offered by Representatives Roehrig and Suwa.

A resolution (**H. R. No. 264**) requesting the commendation and implementation of bail reform measures was offered by Representative Roehrig.

A concurrent resolution (**H. C. R. No. 32**) requesting expeditious action by the U.S. Government in resolving the problems arising from the impending expiration of the Laurel-Langley Trade Agreement between the United States and the Republic of the Philippines was jointly offered by Representatives 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, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Nakama, Oda, Poe-poe, Roehrig, Saiki, Soares, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Yuen and Beppu.

A concurrent resolution (**H. C. R. No. 33**) relating to the establishment of a Filipino studies program at the University of Hawaii was jointly offered by Representatives Kimura, de la Cruz, R. Garcia, Iha, Kihano, Medina, Nakama, Sakima and Beppu.

## INTRODUCTION OF BILLS

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the following bills (**H. B. Nos. 2676-74 to 2701-74**) passed First Reading by title and were referred to the Committee on Legislative Management:

### H. B. No.

2676-74 "A Bill for an Act relating to offenses against property rights."

Introduced by: Representatives Kawakami, Aki, Kimura, Kishinami, Lee, Leopold, Roehrig, Yamada and Yap.

2677-74 "A Bill for an Act relating to public money and public contracts."

Introduced by: Representatives Kawakami, Kimura, Kishinami and Yap.

2678-74 "A Bill for an Act relating to equal employment opportunities."

Introduced by: Representatives Kimura, Lunasco, Morioka, Roehrig, Sakima, Wasai, Wedemeyer, Wong, Yap and Yuen.

2679-74 "A Bill for an Act making an appropriation to the Department of Health for contracting and paying for services relating to detoxification of intoxicated persons."

Introduced by: Representatives R. Garcia and Kato.

2680-74 "A Bill for an Act making an appropriation for legal services for low-income persons."

Introduced by: Representative Beppu.

2681-74 "A Bill for an Act relating to takeover bid disclosures."

Introduced by: Representative Beppu.

2682-74 "A Bill for an Act relating to mechanic's

	and materialman's lien."		rig, W. Chong, Hapai, Suwa and Takamine.
	Introduced by: Representative Yap. (By Request)	2691-74	"A Bill for an Act relating to implied consent of drivers to blood tests."
2683-74	"A Bill for an Act relating to the improvement of real property."		Introduced by: Representative Roehrig.
	Introduced by: Representative Yap, Cobb, Iha, Kishinami, Kunimura, Lunasco, Takamine, Wedemeyer and Yuen.	2692-74	"A Bill for an Act relating to the general excise tax exemption for the blind."
2684-74	"A Bill for an Act relating to statute of limitations."		Introduced by: Representatives Roehrig, W. Chong, Hapai, Suwa and Takamine.
	Introduced by: Representatives Kato, R. Garcia, Oda, Uechi and Yamada.	2693-74	"A Bill for an Act relating to issuance of subpoenas by prosecutors."
2685-74	"A Bill for an Act relating to real property mortgages."		Introduced by: Representative Roehrig.
	Introduced by: Representative Cobb. (By Request)	2694-74	"A Bill for an Act relating to entering a house to arrest or serve a warrant."
2686-74	"A Bill for an Act relating to an appropriation for the band and choral room at Kalaniana'ole Elementary and Intermediate School in Hilo, County of Hawaii."		Introduced by: Representative Roehrig.
	Introduced by: Representatives J. Garcia, Aduja, W. Chong, Hapai, Roehrig, Suwa and Takamine.	2695-74	"A Bill for an Act relating to criminal trespass."
2687-74	"A Bill for an Act making an appropriation for the fee simple residential revolving fund."		Introduced by: Representatives Roehrig, W. Chong and Suwa.
	Introduced by: Representatives Young, Aki, Akizaki, Amaral, Carroll, A. Chong, Iha, Kato, Kawakami, Kishinami, Kondo, Kunimura, Lee, Medina, Morioka, Nakama, Oda, Poepoe, Sakima, Suwa, Takamine, Uechi, Wasai, Wedemeyer, Yamada and Yim.	2696-74	"A Bill for an Act relating to pornography."
2688-74	"A Bill for an Act relating to housing and ancillary developments."		Introduced by: Representative Roehrig.
	Introduced by: Representatives Young, Aki, Amaral, Iha, Kato, Kunimura, Lee, Oda, Poepoe, Sakima, Uechi, Wasai and Yamada.	2697-74	"A Bill for an Act relating to disturbing the quiet of night."
2689-74	"A Bill for an Act making an appropriation for projects in the County of Hawaii."		Introduced by: Representatives Roehrig, W. Chong and Hapai.
	Introduced by: Representatives Roehrig, W. Chong, Suwa and Takamine.	2698-74	"A Bill for an Act relating to taxation."
2690-74	"A Bill for an Act making an appropriation for improvement projects in Hawaii County."		Introduced by: Representatives Roehrig, W. Chong, Hapai and Suwa.
	Introduced by: Representatives Roeh-	2699-74	"A Bill for an Act relating to Workmen's Compensation Law."
			Introduced by: Representative Wakatsuki. (By Request)
		2700-74	"A Bill for an Act relating to election campaign contributions and expenditures."
			Introduced by: Representative Wakatsuki.

2701-74 "A Bill for an Act relating to ball or marble machines."

Introduced by: Representative Wakatsuki.  
(By Request)

The Chair here directed the Clerk to note the presence of Representative Young.

#### SUSPENSION OF RULES

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

#### THIRD READING

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

##### H. B. No. 2082-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **H. B. No. 2082-74** passed Third Reading by a vote of 51 ayes.

##### H. B. No. 2190-74

On motion by Representative Wakatsuki, sec-

onded by Representative Kato, **H. B. No. 2190-74** passed Third Reading by a vote of 51 ayes.

##### S. B. No. 1481-74

On motion by Representative Suwa, seconded by Representative Akizaki, **S. B. No. 1481-74** passed Third Reading by a vote of 50 ayes to 1 no, with Representative Cobb voting no.

##### S. B. No. 1514-74

On motion by Representative Suwa, seconded by Representative Akizaki, **S. B. No. 1514-74** passed Third Reading by a vote of 51 ayes.

##### S. B. No. 1518-74

On motion by Representative Suwa, seconded by Representative Akizaki, **S. B. No. 1518-74** passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that **H. B. Nos. 2082-74 and 2190-74** and **S. B. Nos. 1481-74, 1514-74 and 1518-74** had passed Third Reading not earlier than 1:40 o'clock p.m.

#### ADJOURNMENT

At 1:47 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, by a rising vote, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, February 27, 1974, in memory of the late Edward De Mello.

## THIRTIETH DAY

Wednesday, February 27, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend B. K. Lindsey of St. Andrew's Cathedral, after which the Roll was called showing all members present with the exception of Representatives Amaral, Kato and Poepoe who were excused.

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

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

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

At 11:40 o'clock a.m., the House of Representatives reconvened.

### ORDER OF THE DAY

#### COMMITTEE REFERRALS

The following bills (H. B. Nos. 2676-74 to 2701-74) were disposed of as follows:

H. B. No.	Referred to:
2676-74	Committee on Judiciary and Corrections
2677-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2678-74	Committee on Labor and Public Employment, then to the Committee on Finance
2679-74	Committee on Public Health and Welfare, then to the Committee on Finance
2680-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2681-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections
2682-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections
2683-74	Committee on Consumer Protection

2684-74	Committee on Judiciary and Corrections
2685-74	Committee on Consumer Protection
2686-74	Committee on Finance
2687-74	Committee on Housing, then to the Committee on Finance
2688-74	Committee on Housing
2689-74	Committee on Finance
2690-74	Committee on Finance
2691-74	Committee on Transportation
2692-74	Committee on Finance
2693-74	Committee on Judiciary and Corrections
2694-74	Committee on Judiciary and Corrections
2695-74	Committee on Judiciary and Corrections
2696-74	Committee on Judiciary and Corrections
2697-74	Committee on Judiciary and Corrections
2698-74	Committee on Agriculture, then to the Committee on Finance
2699-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection
2700-74	Committee on Judiciary and Corrections
2701-74	Committee on Judiciary and Corrections

#### DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 256 to 264) and concurrent resolutions (H. C. R. Nos. 32 to 33) were disposed of as follows:

H. R. No.	Referred to:
256	Committee on Higher Education, then to the Committee on Finance
257	Committee on Education, then to the Committee on Finance
258	Committee on Public Health and Welfare
259	Committee on Water, Land Use and Development, then to the Committee on Federal-State-County



- 260 Committee on Judiciary and Corrections, then to the Committee on Finance
- 261 Committee on Judiciary and Corrections
- 262 Committee on Judiciary and Corrections
- 263 Committee on Judiciary and Corrections
- 264 Committee on Judiciary and Corrections

**H. C. R. No.**

- 32 Committee on Federal-State-County
- 33 Committee on Higher Education, then to the Committee on Finance

**STANDING COMMITTEE REPORTS**

Representative Akizaki, for the Committee on Legislative Management, presented a report (**Stand. Com. Rep. No. 97-74**) informing the House that **House Bill Nos. 2676-74 to 2701-74**, **House Resolution Nos. 254 to 264**, **House Concurrent Resolution Nos. 32 and 33**, and **Standing Committee Report Nos. 98-74 to 107-74** had been printed and distributed.

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

Representative Lunasco, for the Committee on Federal-State-County, presented a report (**Stand. Com. Rep. No. 98-74**) recommending that **H. B. No. 1477** be referred to the Committee on Finance with certain amendments.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, the report of the Committee was adopted and **H. B. No. 1477**, as amended, was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (**Stand. Com. Rep. No. 99-74**) recommending that **H. B. No. 682**, **H. D. 1** be referred to the Committee on Finance with certain amendments.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, **H. B. No. 682**, **H. D. 1**, as amended, was referred to the Committee on Finance.

Representative Iha, for the Committee on Transportation, presented a report (**Stand. Com. Rep. No. 100-74**) recommending that **H. B. No. 749**, **H. D. 1** be referred to the Committee on Finance with certain amendments.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and **H. B. No. 749**, **H. D. 1**, as amended, was referred to the Committee on Finance.

Representative Wakatsuki, for the Committee on Judiciary, presented a report (**Stand. Com. Rep. No. 101-74**) recommending that **H. B. No. 2146-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Wakatsuki, seconded by Representative Kihano and carried, the report of the Committee was adopted and **H. B. No. 2146-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 28, 1974.

Representative Wakatsuki, for the Committee on Judiciary, presented a report (**Stand. Com. Rep. No. 102-74**) recommending that **H. B. No. 2268-74** pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Wakatsuki, seconded by Representative Kihano and carried, the report of the Committee was adopted and **H. B. No. 2268-74**, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, February 28, 1974.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 103-74**) recommending that **H. B. No. 2085-74**, pass Third Reading with certain amendments.

By unanimous consent, consideration of **Stand. Com. Rep. No. 103-74** on **H. B. No. 2085-74**, **H. D. 1** was deferred until tomorrow, February 28, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. No. 2085-74**, **H. D. 1** were made available to the members of the House at 11:30 o'clock a.m.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 104-74**) recommending that **H. R. No. 57** be adopted with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, consideration of **H. R. No. 57**, as amended, was deferred until the end of the calendar.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 105-74**) recommending that **H. R. No. 58** be adopted with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and

carried, consideration of **H. R. No. 58**, as amended, was deferred until the end of the calendar.

Representative Young, for the Committee on Housing, presented a report (**Stand. Com. Rep. No. 106-74**) recommending that **H. R. No. 37** be adopted with certain amendments.

On motion by Representative Young, seconded by Representative Kunimura and carried, **H. R. No. 37**, as amended, was adopted.

Representative Young, for the Committee on Housing, presented a report (**Stand. Com. Rep. No. 107-74**) recommending that **H. R. No. 43** be adopted with certain amendments.

On motion by Representative Young, seconded by Representative Kunimura and carried, the report of the Committee was adopted and **H. R. No. 43**, as amended, entitled: "A Resolution requesting the review of county buildings codes," was adopted.

The Chair here directed the Clerk to note that printed copies of **H. B. No. 2146-74** and **2268-74**, **H. D. 1** were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

At 11:45 o'clock a.m., on request by Representative O'Connor, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:46 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Kato and Poepoe.

The following resolutions (**H. R. Nos. 265** to **266**) were read by the Clerk and were disposed of as follows:

A resolution (**H. R. No. 265**) celebrating Public Schools Week, April 22 through 26, 1974, and commending the teachers and administrators of all public schools for their tireless dedication to the education and training of the youths of this State was jointly offered by Representatives Wasai, Aduja, Aki, Akizaki, Amaral, A. Chong, W. Chong, J. Garcia, R. Garcia, Kato, Kishinami, Kondo, Leopold, Lunasco, Medeiros, Medina, Nakama, Sakima, Soares, Takamine, Uechi, Wedemeyer, Yim and Yuen.

On motion by Representative Wasai, seconded by Representative Sakima and carried, **H. R. No. 265** was adopted.

A resolution (**H. R. No. 266**) honoring the 85th Anniversary of the founding of the Hongwanji Mission in Hawaii and the 800th Anniversary of the birth of the founder of the sect was jointly offered by Representatives Wasai, Aduja, Ajifu, Aki, Akizaki, Amaral, A. Chong, W. Chong, J. Garcia, R. Garcia, Kato, Kishinami, Kondo, Lee, Leopold, Lunasco, Medeiros, Medina, Nakama,

O'Connor, Oda, Sakima, Soares, Suwa, Takamine, Uechi, Wedemeyer, Yim and Yuen.

On motion by Representative Wasai, seconded by Representative Suwa and carried, **H. R. No. 266** was adopted.

By unanimous consent, the following resolutions (**H. R. Nos. 267** to **272**) and concurrent resolutions (**H. C. R. Nos. 34** and **35**) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, February 28, 1974.

A resolution (**H. R. No. 267**) urging the President and Congress of the United States to do all in their power to account for and repatriate the missing-in-action and prisoners-of-war in Southeast Asia was jointly offered by Representatives Beppu, Aki, Akizaki, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garica, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Lunasco, Medina, Morioka, Nakama, O'Connor, Roehrig, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young and Yuen.

A resolution (**H. R. No. 268**) requesting the Department of Education to participate with the rest of the community in Hawaii to make Hawaii a cleaner and better place to live was jointly offered by Representatives O'Connor, Akizaki, A. Chong, de la Cruz, R. Garcia, Kawakami, Kihano, Kimura, Kondo, Kunimura, Medina, Roehrig, Suwa, Takamine, Wedemeyer, Yuen and Beppu.

A resolution (**H. R. No. 269**) requesting an interim committee to study governmental operations was jointly offered by Representatives A. Chong, Amaral, J. Garcia, R. Garcia, Hapai, Kihano, Kishinami, Lunasco, Medeiros, Nakama, Roehrig, Saiki, Sakima, Takamine, Uechi, Yap, Young and Yuen.

A resolution (**H. R. No. 270**) requesting the Department of Health to adopt rules relating to accommodations for smokers and nonsmokers in health and medical facilities was jointly offered by Representatives A. Chong, Aduja, Aki, Akizaki, Amaral, Carroll, W. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kihano, Kishinami, Kondo, Lunasco, Medeiros, Nakama, Oda, Poepoe, Roehrig, Sakima, Suwa, Takamine, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yamada, Yap, Young and Yuen.

A resolution (**H. R. No. 271**) requesting the City Council to expeditiously pass a Diamond Head scenic-cultural-historical district ordinance was offered by Representative Leopold.

A resolution (**H. R. No. 272**) requesting the Department of Education to condemn and remove the deteriorated bleachers at the Kahuku High School football field was jointly offered by Representatives Ajifu, Aki, Carroll, W. Chong, Fong,

J. Garcia, Hapai, Leopold, Medeiros, Poepoe, Saiki and Yamada.

A concurrent resolution (H. C. R. No. 34) requesting the Congress of the U. S. to propose to the people an amendment to the Constitution of the U. S. was offered by Representative Akizaki. (By request)

A concurrent resolution (H. C. R. No. 35) requesting the Department of Health to adopt rules relating to accommodations for smokers and nonsmokers in health and medical facilities was jointly offered by Representatives A. Chong, Aduja, Aki, Akizaki, Amaral, Carroll, W. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kihano, Kishinami, Kondo, Lunasco, Medeiros, Medina, Nakama, Oda, Poepoe, Roehrig, Sakima, Suwa, Takamine, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yamada, Yap, Young and Yuen.

At 11:52 o'clock a.m., on request by Representative Soares, the Chair declared a recess, subject to the call of the Chair.

At 11:56 o'clock a.m., the House of Representatives reconvened.

#### INTRODUCTION OF HOUSE BILLS

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the following bills (H. B. Nos. 2702-74 to 2718-74) passed First Reading by title and were referred to the Committee on Legislative Management:

#### H. B. No.

2702-74 "A Bill for an Act relating to acquisition of Molokai General Hospital, Kaunakakai, Hawaii."

Introduced by: Representatives de la Cruz, Akizaki, A. Chong, R. Garcia, Kishinami, Kondo, Lee, Medina, O'Connor, Sakima, Suwa, Takamine and Yuen.

2703-74 "A Bill for an Act relating to forfeiture of real and personal property used for gambling."

Introduced by: Representatives Yamada, W. Chong, Fong, Hapai, Iha, Kawakami, Kishinami, Kunimura, Lee, Lunasco, Medina, Morioka, Soares, Uechi, Wedemeyer and Wong.

2704-74 "A Bill for an Act relating to the Hawaii Penal Code."

Introduced by: Representatives Yamada, W. Chong, Hapai, Iha, Kawakami, Kishinami, Kunimura, Lee, Lunasco, Medina, Morioka, Nakama, Poepoe, Saiki, Soares, Uechi, Wedemeyer and Wong.

2705-74 "A Bill for an Act making appropriations for capital improvement projects for the Eighteenth Representative District of Hawaii."

Introduced by: Representatives Yap and Sakima.

2706-74 "A Bill for an Act relating to state environmental policy and its implementation by environment impact statements."

Introduced by: Representatives King and A. Chong.

2707-74 "A Bill for an Act to amend Section 249-18, HRS, relating to disposition of highway taxes."

Introduced by Representatives Akizaki and Kishinami.

2708-74 "A Bill for an Act relating to a hotel room occupancy tax."

Introduced by: Representatives Akizaki, Cobb, R. Garcia, Kihano, Kimura, Lee, Lunasco, Sakima, Suwa, Uechi, Wong, Yamada, Yap, Young and Yuen.

2709-74 "A Bill for an Act making an appropriation to accelerate Ohia Decline Study."

Introduced by: Representatives Suwa, W. Chong, J. Garcia, Hapai, Roehrig, and Takamine.

2710-74 "A Bill for an Act making an appropriation for planning and site selection of a community center at Kahului, Maui."

Introduced by: Representatives Medina, de la Cruz, Fong, J. Garcia, Iha, Kihano, Kondo, Kunimura, Lee, Morioka, Nakama, Roehrig, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wedemeyer, Wong and Yim.

2711-74 "A Bill for an Act making an appropriation for the purchase of books for school libraries in the County of Maui."

Introduced by: Representatives Medina, de la Cruz, Fong, J. Garcia, Kihano, Kishinami, Kondo, Nakama, Roehrig, Suwa, Takamine, Uechi, Wakatsuki, Wasai, Yap and Yim.

2712-74 "A Bill for an Act making appropriations for capital improvement projects in the Twenty-Third Representative District of Hawaii."

Introduced by: Representatives Ajifu, Aki, Carroll, W. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, King, Leopold, Medeiros, Nakama, Oda, Poepoe, Saiki, Yamada, Yap and Beppu.

- 2713-74 "A Bill for an Act relating to branch banks."

Introduced by: Representative Yap.  
(By request)

- 2714-74 "A Bill for an Act relating to fine art."

Introduced by: Representatives Saiki, Aduja, Aki, Carroll, Fong, Hapai, Kawakami, Kihano, King, Medeiros, Oda, Poepoe, Ushijima, Wakatsuki, Yap and Young.

- 2715-74 "A Bill for an Act relating to the creation of a State planning office."

Introduced by: Representatives King, de la Cruz, Kihano, Kimura, Kishinami, Sakima, Wasai and Yuen.

- 2716-74 "A Bill for an Act relating to the Hawaii Resources Recovery Authority."

Introduced by: Representatives King, de la Cruz, Kihano, Kimura, Kishinami, Sakima, Wasai and Yuen.

- 2717-74 "A Bill for an Act proposing an amendment to Article IX, Section 2, of the Hawaii Constitution to abolish the elected Board of Education.

Introduced by: Representative Wasai.

- 2718-74 "A Bill for an Act relating to the Board of Education."

Introduced by: Representative Wasai.

#### SUSPENSION OF RULES

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

#### THIRD READING

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

##### H. B. No. 2215-74

On motion by Representative Lunasco, seconded by Representative Kato and carried, H. B.

No. 2215-74 was recommitted to the Committee on Federal-State-County.

##### H. B. No. 2222-74

On motion by Representative Iha, seconded by Representative Nakama, H. B. No. 2222-74 passed Third Reading by a vote of 50 ayes, with Representative Amaral being excused.

##### H. B. No. 2228-74

On motion by Representative Iha, seconded by Representative Nakama, H. B. No. 2228-74 passed Third Reading by a vote of 50 ayes, with Representative Amaral being excused.

##### H. B. No. 2371-74

On motion by Representative Iha, seconded by Representative Nakama, H. B. No. 2371-74 passed Third Reading by a vote of 50 ayes, with Representative Amaral being excused.

##### S. B. No. 1509-74

On motion by Representative Iha, seconded by Representative Nakama, S. B. No. 1509-74 passed Third Reading by a vote of 50 ayes, with Representative Amaral being excused.

The Chair here directed the Clerk to note that H. B. Nos. 2222-74, 2228-74, 2371-74 and S. B. No. 1509-74 had passed Third Reading not earlier than 11:49 o'clock a.m.

#### DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. 104-74 (H. R. No. 57, H. D. 1):

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, Stand. Com. Rep. No. 104-74 was adopted and H. R. No. 57 H. D. 1 was adopted. Stand. Com. Rep. No. 105-74 (H. R. No. 58 H. D. 1):

On motion by Representative Kawakami seconded by Representative A. Chong and carried, Stand. Com. 105 was adopted and H. R. No. 58, H. D. 1 was adopted.

#### ADJOURNMENT

At 11:59 o'clock a.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, February 28, 1974.

## THIRTY-FIRST DAY

Thursday, February 28, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Niles Kageyama, Pastor of the Windward Missionary Church, after which the Roll was called showing all members present with the exception of Representatives Amaral, Oda and Takamine who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Thirtieth Day.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Thirtieth Day was approved.

### GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 54) transmitting copies of the 1973 Annual Report of the Teacher Education Coordinating Committee pursuant to Section 304-20, Hawaii Revised Statutes, was read by the Clerk and was placed on file.

### MISCELLANEOUS COMMUNICATION

A communication from Wytze Gorter, Chancellor, University of Hawaii (Misc. Com. No. 19) acknowledging receipt of House Resolution No. 236, Regular Session of 1974, was read by the Clerk and was placed on file.

### ORDER OF THE DAY

### COMMITTEE REFERRALS

The following bills (H. B. Nos. 2702-74 to 2718-74) were disposed of as follows:

H. B. No.	Referred to:
2702-74	Committee on Finance
2703-74	Committee on Judiciary and Corrections
2704-74	Committee on Judiciary and Corrections
2705-74	Committee on Finance
2706-74	Committee on Environmental Protection, then to the Committee on Judiciary and Corrections
2707-74	Committee on Finance
2708-74	Committee on Finance

2709-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2710-74	Committee on Finance
2711-74	Committee on Education, then to the Committee on Finance
2712-74	Committee on Finance
2713-74	Committee on Consumer Protection
2714-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections
2715-74	Committee on Water, Land Use and Development, then to the Committee on Environmental Protection, then to the Committee on Finance
2716-74	Committee on Environmental Protection, then to the Committee on Finance
2717-74	Committee on Education
2718-74	Committee on Education

### DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 267 to 272) were disposed of as follows:

H. R. No.	Referred to:
267	Committee on Federal-State-County
268	Committee on Education
269	Committee on Labor and Public Employment, then to the Committee on Finance
270	Committee on Public Health and Welfare
271	Jointly to the Committees on Water, Land Use and Development, and Federal-State-County
272	Committee on Education, then to the Committee on Finance

H. C. R. No.	
34	Committee on Judiciary and Corrections
35	Committee on Public Health and Welfare

### COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

H. B. No.	Re-referred to:
2697-74	Committee on Environmental Protection, then to the Committee on Judiciary and Corrections
1015	Committee on Housing, then to the Committee on Finance

At this time, Representative Wasai rose and stated as follows:

"Mr. Speaker, on your referral, I would like to point out an error in the title of H. B. 2717. It is not a constitutional amendment on that particular bill. The bill that succeeds it is but 2717 is not."

The Chair replied that he will check into it.

Representative King then rose and stated as follows:

"Mr. Speaker, in connection with the referral sheet on H. B. No. 2706, your Committee on Environmental Protection waives referral."

Representative J. Garcia then rose on a point of information and inquired:

"Is this H. B. No. 2706 not environmental measure? Why then the rejection of a referral to your Committee being announced at this particular time."

The Chair then referred Representative J. Garcia to Representative King who responded:

"Mr. Speaker, the reason for the waiver of referral is that the basic merits of this bill have been heard at great length and discussed at great length by your Environmental Protection Committee so that there is no further need for that particular Committee to hear it again."

Representative J. Garcia continued:

"Then, Mr. Speaker, is it not proper that a committee report accompany the request for a waiver of the referral? This is a most unusual practice in all the years I have been here — I have never seen anything like this."

The Chair then stated:

"Representative Garcia, the Chair will make the proper referral tomorrow. Representative King, I will make the proper referral tomorrow."

Representative King rose and stated:

"I'm not quite sure what that means."

The Chair replied that it was a re-referral.

## STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 108-74) informing the House that House Bill Nos. 2702-74 to 2718-74, House Resolution Nos. 265 to 272, House Concurrent Resolution Nos. 34 and 35, and Standing Committee Report No. 109-74 had been printed and distributed.

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

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 109-74) recommending that H. B. No. 2440-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 2440-74, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 1, 1974.

The Chair directed the clerk to note that printed copies of H. B. No. 2440-74, H. D. 1, were made available to the members of the House at 11:30 o'clock a.m.

## INTRODUCTION OF RESOLUTIONS

A resolution (H. R. No. 273) congratulating the Waipahu High School Junior Varsity Basketball team for winning the 1974 Oahu Interscholastic Association's West Division championship was jointly offered by Representatives Young, Ajifu, Aki, Akizaki, A. Chong, W. Chong, Cobb, de la Cruz, Fong, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Lee, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Soares, Suwa, Takamine, Uechi, Wasai, Wedemeyer, Yap, Yim and Yuen and was read by the Clerk.

On motion by Representative Young, seconded by Representative Kihano and carried, H. R. No. 273 was adopted.

By unanimous consent, the following resolutions (H. R. Nos. 274 to 279) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 1, 1974:

A resolution (H. R. No. 274) requesting the reopening of the Hickam skeet shooting range to civilian use was jointly offered by Representatives Iha, Aduja, Ajifu, Aki, Carroll, W. Chong, Fong, J. Garcia, Kawakami, Kihano, Kishinami, Kunitamura, Lee, Leopold, Lunasco, Medina, Nakama, Roehrig, Takamine, Uechi, Yap, Young and Yuen.



A resolution (H. R. No. 275) relating to a review of the administration of vocational education in the State was jointly offered by Representatives Kunimura, A. Chong, Kawakami, Kihano, Kimura, King, Kishinami, Lee, Sakima, Wasai and Young.

A resolution (H. R. No. 276) relating to a review of the administration of vocational education in the State was jointly offered by Representatives Kunimura, A. Chong, Kawakami, Kihano, Kimura, King, Kishinami, Lee, Sakima, Wasai and Young.

A resolution (H. R. No. 277) relating to the coordination of hospital inspections was jointly offered by Representatives Yuen, Aki, Kihano, Lee, Medina and Yim.

A resolution (H. R. No. 278) requesting that governmental agencies support University of Hawaii law students through summer employment programs was jointly offered by Representatives Yuen, Aki, Kihano, Lee, Medina and Yim.

A resolution (H. R. No. 279) requesting lower agricultural water rates in Hawaii county was offered by Representative Roehrig.

#### INTRODUCTION OF BILLS

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the following bills (H. B. Nos. 2719-74 to 2757-74) passed First Reading by title and were referred to the Committee on Legislative Management:

#### H. B. No.

2719-74 "A Bill for an Act relating to the animal industry revolving fund."

Introduced by: Representative Roehrig.

2720-74 "A Bill for an Act relating to the Hawaii Penal Code."

Introduced by: Representatives Yamada, Fong, Iha, Kawakami, Kishinami, Kunimura, Lee, Medina, Morio-ka, Nakama, Poepoe, Saiki, Soares and Wong.

2721-74 "A Bill for an Act amending Chapter 286, Hawaii Revised Statutes."

Introduced by: Representatives Lunasco, Akizaki, A. Chong, Kishinami, Suwa, Takamine, Uechi, Ushijima, Yap, Yim, Young and Yuen.

2722-74 "A Bill for an Act to amend Section 246-31 of the Hawaii Revised Statutes relating to exemption for real property for the blind and visually handicapped."

Introduced by: Representatives Lun-

asco, Aki, W. Chong, Fong, R. Garcia, Kato, Sakima, Takamine, Yamada, Yap and Young.

2723-74 "A Bill for an Act to amend HRS Section 237-17, relating to general excise tax for persons with impaired sight."

Introduced by: Representatives Lunasco, Aki, W. Chong, Fong, R. Garcia, Kato, Sakima, Takamine, Yamada, Yap and Young.

2724-74 "A Bill for an Act making an appropriation for traffic lights on Kamehameha Highway, Oahu."

Introduced by: Representatives Lunasco, Akizaki, A. Chong, Kishinami, Nakama, Oda, Suwa, Takamine, Uechi, Ushijima, Yap, Young and Yuen.

2725-74 "A Bill for an Act making an appropriation for improvements to Waialua High School, Oahu."

Introduced by: Representatives Lunasco, Akizaki, A. Chong, Kishinami, Nakama, Oda, Suwa, Takamine, Uechi, Ushijima, Yap, Young and Yuen.

2726-74 "A Bill for an Act to amend Section 235-54 (c) of the Hawaii Revised Statutes relating to tax exemption for blindness."

Introduced by: Representatives Lunasco, Aki, W. Chong, Fong, R. Garcia, Kato, Sakima, Takamine, Yamada, Yap and Young.

2727-74 "A Bill for an Act relating to fishing regulations."

Introduced by: Representatives Lunasco, Aki, R. Garcia, Kawakami, Sakima, Takamine, Yamada and Yap.

2728-74 "A Bill for an Act relating to property used for charitable and similar purposes."

Introduced by: Representatives Lunasco, Aki, Akizaki, A. Chong, W. Chong, R. Garcia, Kato, Kawakami, King, Kishinami, Kondo, Lee, Medina, Roehrig, Takamine, Uechi, Wasai, Yamada, Yap and Yim.

2729-74 "A Bill for an Act making appropriations for various projects on Lanai and Molokai, Maui County."

Introduced by: Representatives de la



- Cruz, R. Garcia, Iha, Kawakami, Kimura, Kishinami, Kondo, Kunitura, Lee, Lunasco, Medina, Oda, Sakima and Yap.
- 2730-74 "A Bill for an Act relating to environmental quality and excessive noise."
- Introduced by: Representatives King, A. Chong, R. Garcia, Iha, Leopold, Takamine, Young and Yuen.
- 2731-74 "A Bill for an Act relating to drug abuse."
- Introduced by: Representative Beppu. (By Request)
- 2732-74 "A Bill for an Act relating to the establishment of a uniform emergency telephone service."
- Introduced by: Representatives Yuen, Aki, Kihano, Lee, Medina and Yim.
- 2733-74 "A Bill for an Act relating to ambulance service payments."
- Introduced by: Representatives Yuen, Aki, Kihano, Lee, Medina and Yim.
- 2734-74 "A Bill for an Act relating to venereal disease prevention."
- Introduced by: Representatives Yuen, Aki, Kihano, Lee, Medina and Yim.
- 2735-74 "A Bill for an Act relating to health services in the public schools."
- Introduced by: Representatives Sakima, Lee, Lunasco, Medina, Roehrig, Suwa, Takamine, Uechi, Wasai, Yap and Yuen.
- 2736-74 "A Bill for an Act relating to general excise tax exemptions for housing projects."
- Introduced by: Representative Akizaki. (By Request)
- 2737-74 "A Bill for an Act relating to interconnect services."
- Introduced by: Representatives O'Connor, Akizaki, Cobb, R. Garcia, Hapai, Kawakami, Kihano, Lunasco, Medina, Roehrig, Suwa, Wasai, Wedemeyer and Beppu.
- 2738-74 "A Bill for an Act relating to safety glazing materials."
- Introduced by: Representatives O'Connor, Akizaki, Cobb, R. Garcia, Hapai, Iha, Kihano, Kishinami, Lee,
- Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, Roehrig, Suwa, Wasai, Wedemeyer and Beppu.
- 2739-74 "A Bill for an Act relating to common nuisance."
- Introduced by: Representatives King, Carroll, Cobb, R. Garcia, Hapai, Iha, Kishinami, Leopold, Medina, Ushijima and Young.
- 2740-74 "A Bill for an Act making appropriations for capital improvement projects for Aliiolani Elementary School, Honolulu, Oahu."
- Introduced by: Representatives Morioka, Akizaki, A. Chong, de la Cruz, R. Garcia, Iha, Kihano, Kimura, King, Kondo, Lee, Lunasco, Nakama, Poepoe, Roehrig, Saiki, Suwa, Takamine, Ushijima, Wedemeyer, Young, Yuen and Beppu.
- 2741-74 "A Bill for an Act making a supplemental appropriation for completion of the Palolo Housing Community Hall and to provide the necessary furnishings and equipments."
- Introduced by: Representatives Morioka, Akizaki, A. Chong, de la Cruz, R. Garcia, Iha, Kihano, Kimura, King, Kondo, Lee, Lunasco, Nakama, Poepoe, Roehrig, Saiki, Suwa, Takamine, Ushijima, Wedemeyer, Young, Yuen and Beppu.
- 2742-74 "A Bill for an Act making a supplemental appropriation for construction or renovation of existing facilities for art, science classrooms and teacher work center at Hokulani School, Honolulu, Oahu."
- Introduced by: Representatives Morioka, Akizaki, A. Chong, de la Cruz, R. Garcia, Iha, Kihano, Kimura, King, Kondo, Lee, Lunasco, Nakama, Poepoe, Roehrig, Saiki, Suwa, Takamine, Ushijima, Wedemeyer, Young, Yuen and Beppu.
- 2743-74 "A Bill for an Act making an appropriation for covered walkways at Palolo Elementary School, Honolulu, Oahu."
- Introduced by: Representatives Morioka, Akizaki, A. Chong, de la Cruz, R. Garcia, Iha, Kihano, Kimura, King, Kondo, Lee, Lunasco, Nakama, Poepoe, Roehrig, Saiki, Suwa, Takamine, Ushijima, Wedemeyer, Young, Yuen and Beppu.

2744-74 "A Bill for an Act relating to retirement for public officers and employees."

Introduced by: Representatives Kuni-mura, Kawakami and Yamada.

2745-74 "A Bill for an Act relating to transportation."

Introduced by: Representatives Roehrig, Akizaki, A. Chong, Kishinami, Nakama, Suwa, Uechi and Wong.

2746-74 "A Bill for an Act relating to registration tags and stickers for bicycles."

Introduced by: Representatives Leopold and R. Garcia.

2747-74 "A Bill for an Act relating to the planning and development of Molokai."

Introduced by: Representatives Kondo, Akizaki, A. Chong, de la Cruz, Kihano, Medina, Roehrig, Suwa, Takamine, Wakatsuki and Yap.

2748-74 "A Bill for an Act making an appropriation for the planning and construction of traffic lights for the Crestview and Seaview communities."

Introduced by: Representatives Young, Kihano and Kishinami.

2749-74 "A Bill for an Act relating to the determination of the cause of injury to an employee."

Introduced by: Representative Lee.

2750-74 "A Bill for an Act relating to civil service."

Introduced by: Representatives Lee, Leopold, Poepoe and Wasai.

2751-74 "A Bill for an Act making an appropriation for energy research at the University of Hawaii."

Introduced by: Representatives Fong, Akizaki, W. Chong, Cobb, R. Garcia, Hapai, Kihano, Kimura, Medeiros, Medina, Ushijima, Wasai, Yap, Young, Yuen and Beppu.

2752-74 "A Bill for an Act relating to the Office of Energy Research."

Introduced by: Representatives Fong, W. Chong, Cobb, R. Garcia, Kihano, Medeiros, O'Connor and Beppu.

2753-74 "A Bill for an Act relating to contractors, subcontractors, and materialmen."

Introduced by: Representatives Fong, Akizaki, W. Chong, Cobb, R. Garcia, Hapai, Kihano, Kimura, Medeiros, Medina, Ushijima, Yap, Young, Yuen and Beppu.

2754-74 "A Bill for an Act relating to agricultural lands for young farmers."

Introduced by: Representatives Fong, W. Chong, Cobb, R. Garcia, Kihano, Medeiros, O'Connor and Beppu.

2755-74 "A Bill for an Act making an appropriation for energy research."

Introduced by: Representatives Fong, Akizaki, W. Chong, Cobb, R. Garcia, Hapai, Kihano, Kimura, Medeiros, Medina, Ushijima, Wasai, Yap, Young and Yuen.

2756-74 "A Bill for an Act relating to theft of gasoline."

Introduced by: Representatives Fong, Akizaki, W. Chong, Cobb, R. Garcia, Hapai, Kihano, Kimura, Medeiros, Medina, Ushijima, Yap, Young, Yuen and Beppu.

2757-74 "A Bill for an Act making an appropriation for a senior citizens' center at Waipahu Cultural Park, Oahu."

Introduced by: Representatives Kihano, Kishinami and Young.

At 11:40 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:45 o'clock a.m., the House of Representatives reconvened.

#### SUSPENSION OF RULES

On motion by Representative Kimura, 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.

At this time, Representative King rose and stated:

"Mr. Speaker, I want to ask you about an earlier matter on the calendar."

The Chair replied that he will have to look at all of the bills before he could make the proper referral.

Representative King then stated:

"I would like clarification on your statement that you would make the re-referral tomorrow. The referral is made to Environmental Protection and Judiciary and En-

vironmental Protection waived referral so I assume your statement that you would make the proper referral was that it would go to Judiciary."

The Chair replied:

"Not necessarily. I will have to look at that bill and all the other environmental bills. On any referral or re-referral, I would have to look at all environmental bills and any other bills for that matter."

Representative King continued:

"It is my understanding that the referral process was that before referrals were made, the bills were looked at by the Speaker's Office and a determination made; that you had already looked at the bill and made a determination as to what committee it should be referred to. You looked at this bill and referred it to the Committee on Environmental Protection..."

Representative Kunimura, on a point of order, stated:

"If the Speaker and the lady would like to have a private discussion, there's a caucus room."

The Chair then stated that the point was well taken and again stated that the Chair will look at the bill and then make the proper referral.

Representative King continued:

"The Representative from Kauai said that if the Speaker and the lady would like a private discussion, I really wouldn't—I would simply want you to clarify your statement that was made before and, as I was saying, it is my understanding that when you look at a bill, you decide what committee it should go to—that you looked at this bill..."

Representative Kimura rose on a point of order and upon being recognized by the Chair, stated:

"Mr. Speaker, we had right now on the agenda the consideration for Third Reading bills. If this matter wants to be brought up later or subsequent to the action that we have pending, I suggest that we take it up appropriately at that time."

The Chair stated that the point was well taken and asked Representative King to continue her discussion on this matter later in the calendar.

Representative King inquired:

"Mr. Speaker, may I just ask then where on the calendar today should I bring that up."

The Chair replied that she could bring it up under Miscellaneous Business or Announcements.

Representative Medina then rose and stated:

"Mr. Speaker, it is clearly outlined in the House policy..."

The Chair interrupted:

"Representative Medina, we are on Third Reading now so we will proceed with Third Reading, Mr. Clerk..."

Representative Kato then rose on a point of information and upon being recognized by the Chair stated:

"Mr. Speaker, did you not allow her to proceed on this matter before you entertained a point of order? Are the members raising the point of order questioning your conducting business in the House?"

The Chair responded:

"Representative Kato, the business before the House is Third Reading. The motion previous to that was by the Majority Floor Leader regarding the suspension of rules so that we can go on a consent calendar. So we are on the Third Reading calendar right now. Mr. Clerk, proceed."

### THIRD READING

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

#### H. B. No. 2146-74

On motion by Representative Wakatsuki, seconded by Representative Kato, H. B. No. 2146-74 passed Third Reading by a vote of 48 ayes, with Representatives Amaral, Oda and Takamine being excused.

#### H. B. No. 2268-74

Representative Wakatsuki moved that H. B. No. 2268-74, having been read throughout, pass Third Reading, seconded by Representative Kato.

Representative Cobb then rose and stated:

"Just one brief observation. My compliments to the Chairman of Judiciary for an outstanding job done on a very good bill, allowing for tremendous input by the Committee. I think it was extremely well handled."

Representative Wakatsuki replied:

"I accept the compliment with graciousness."

The motion was put by the Chair and carried

and H. B. No. 2268-74 passed Third Reading by a vote of 48 ayes, with Representatives Amaral, Oda and Takamine being excused.

#### UNFINISHED BUSINESS

**Stand. Com. Rep. No. 103-74 on H. B. No. 2085-74** (Deferred from February 27, 1974).

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 2085-74, having been read throughout, passed Third Reading by a vote of 48 ayes, with Representatives Amaral, Oda and Takamine being excused.

The Chair directed the Clerk to note that H. B. Nos. 2146-74, 2268-74 and 2085-74 had passed Third Reading not earlier than 11:47 o'clock a.m.

#### MISCELLANEOUS BUSINESS

Representative King rose and stated:

"Mr. Speaker, I would like to go back to the matter that we were discussing earlier. To pick up my remarks where I left off, it is my understanding that you look at the bills when they come to you and decide what the appropriate committee referrals are. In the instance of 2706, you looked at the bill and decided it should go to Environmental Protection and Judiciary.

This morning, your Committee on Environmental Protection waived referral and you said that you would make the proper referral tomorrow—the re-referral tomorrow. I would just like your clarification on this. It is my understanding by that that you would base it on the decision that you already made—that it would go from Environmental Protection to Judiciary so that it would now go to the Judiciary Committee."

The Chair responded:

"The Chair stated at that time that the Chair will make the proper re-referral tomorrow, but in the process of making the proper re-referral or re-referrals of any bills, the Chair will have to look at that particular bill or any other bills in your committee or any other committee."

Representative King continued:

"Mr. Speaker, am I to understand correctly that this is what was done when you looked at 2706 this morning and made the referral."

The Chair then stated:

"The Chair made a referral by the rules of the House that the proper referral should have been the Environmental Protection and Judiciary Committees according to the contents of the bill. The Chair does not make referrals on the basis of what bills have left the committee or is still in committee. The Chair has to follow the rules and make the proper referral on that basis."

Representative King continued:

"Will the Chair care to say then, if in looking at this bill, it feels that the point your Chairman of the Committee on Environmental Protection has made that the substantive merits of this bill have already been looked at by this Committee so that there is no need to do it again and that you would follow the present referral and send it along to Judiciary."

The Chair responded:

"If the Chair follows your reasoning, then the Chair would have to re-refer all bills. You may have 50 bills on one subject; one bill gets out of committee to the next subsequent committee, then the Chair has to re-refer 49 other bills."

At this point, Representative Suwa rose and stated:

"Before you make a decision, Mr. Speaker, I would like to rise on a point of information."

Having been recognized by the Chair, Representative Suwa continued:

"Is it the prerogative of the Chairman solely to waive or do we have to obtain approval of the membership for the waiver. I would like to have that understanding because I waived some other bills on behalf of the Finance Committee. Now, I would like to have some kind of a decision in this area. If the Chairman has the sole decision to waive, that's one—I will abide by it. But if, from now on, waiving of bills must have the approval of the majority of the committee members, so be it, Mr. Speaker. I will abide by the rules."

The Chair responded:

"The proper procedure, as practiced here, is that the Chairman will make the announcement on a waiver of any bill through his committee's action. By action of the committee, the Chair means that the Chairman confers with the members of the Committee and then makes the proper waiver or request for waiver."

Representative King further stated:

"Mr. Speaker, the rules of the House are

silent on this matter and although I do not have the benefit of the long experience that many of the members here have, in the time that I have been here, the practice I've seen is for the Chairman of the Committee to rise and waive referral and, as far as I know, there has been no decision-making in the Committee on that prior to the waiver of referral."

The Chair responded:

"The Chair has seen, and I think the members of the House have seen, waiver of referrals usually done by the subsequent committees, and what the Committee Chairman usually does is check with the Committee members and then he makes the proper request for waiver."

Representative King replied:

"Perhaps he usually does that, Mr. Speaker, but I don't think it's done in all instances based on my own experience last session and this."

The Chair continued:

"Well, the Chair will just answer the Chairman of the Finance Committee because the Finance Committee is usually involved as the second or third Committee and has participated in many waivers."

Representative King replied:

"Yes, I agree with that."

Representative A. Chong then rose on a point of information and inquired:

"Are you at this time declining to accept the Chairperson's decision to waive **House Bill 2706**?"

The Chair responded:

"That is not the Chair's decision. What the Chair answered was the prior question which was on the waiver—the Chair will look at the bill itself or other bills in Committee."

Representative A. Chong continued:

"But, Mr. Speaker, our Chairperson has waived this bill and is there any further discussion? She has waived this bill—maybe no further discussion is necessary..."

Representative Medina interrupted:

"Mr. Speaker, point of personal privilege, sir. I think that we have a policy amongst the House majority regarding referral of bills. For example, if the bill was not referred to

Environmental Protection and I thought that it should have been referred to Environmental Protection, I would have followed the procedure set up by the House Policy Committee as regards a memo I received on February 8th from the Majority Leader to the majority party members on appeals. I would think..."

Representative King here stated:

"Mr. Speaker, may I respond to the Representative from Maui, please?"

The Chair then recognized Representative R. Garcia who stated:

"Mr. Speaker, I believe that the question posed to the House now is not in regards to an appeal but rather to a waiver so in this case, Representative Medina's request is out of order."

The Chair replied:

"The Chair has stated, and I want to make it very clear, that on all referrals and re-referrals, the Chair will take a look at the bills and make the proper referrals. The Chair has made it very clear."

The Chair, at this time, recognized Representative Kunimura who stated:

"Thank you, Mr. Speaker. Is it not true, Mr. Speaker, that the intent of the reform of this House in its rules was that all referrals and the referral of bills to the committees become the property of the committee and not only the Chairman and, therefore, we can expect input from all members of the committee?"

The Chair stated that the point was well taken.

Representative King then stated that she still had the floor.

Representative O'Connor, recognized on a point of order, stated:

"Mr. Speaker, at this point, there is nothing before the House as the Chair, as I understand it, made a ruling on the request for waiver that the waiver would not be entertained but the Chair would entertain the possibility of a change of referral. The Chair would so look at that later on. Therefore, at this time, the waiver question is not before the House and there is nothing before the House. Therefore, the debate is over nothing and I called a point of order on that regard."

The Chair stated that the point was well taken and further stated:

"The Chair gave the Madam Chairman of

the Committee on Environmental Protection a chance under this section of the Order of the Day to make her presentation and I think the Chair has made it very clear that on all referrals of bills, the Chair will take a look at the bills. Proceed, Representative King."

Representative King then stated:

"Mr. Speaker, I really appreciate the Speaker making this opportunity available to me. It seems to me that it is important before any member of this Body leaves the Chamber that he understands what decisions have been made here and although it may be very clear to some, it is not clear to me just what your decision was. This bill was looked at by you and the referral made. Your first Committee is now waiving referral so that it would seem to me this would mean, on the merits of the bill and the decision already made by you, that it would then go on to the Judiciary Committee and I would simply like a clarification of what you have said."

Representative Fong was recognized on a point of order and stated:

"Mr. Speaker, I think my colleague from the 14th district keeps repeating the fact that the Committee has made the waiver and I would like it cleared up that the Committee has not made the waiver, that the Chairman of the Committee on Environmental Protection has made the waiver."

Representative King replied:

"Right, Mr. Speaker, I agree with. . ."

Representative J. Garcia rose and upon being recognized made a personal observation as follows:

"Something smells in Denmark and I assure you, Mr. Speaker, that any decision you arrive at tomorrow may be the subject of an appeal of the Chair and I suggest that this matter be very carefully deliberated on because this is the first attempt I have ever seen on the floor of this Body to try and pass one bill from one Committee to the other to throw the 'hot potato' in somebody's lap. That is precisely my observation from listening to this argument and I assure you that while we appreciate what is being done here this afternoon, Mr. Speaker, your decision tomorrow will be very, very carefully observed and we may have an appeal of the Chair, in reverse."

The Chair replied:

"Your point is well taken. Representative King, continue."

Representative King continued:

"Mr. Speaker, I would first like to respond to my colleague from the 13th district. To use the phrase that is often used in these chambers. I think his point is well taken. It was the Chairman of the Committee that made the waiver and not the Committee as a whole and this is the point that the Representative from the Big Island raised and I think I responded to that that it is my understanding that because the rules are silent on this matter and based on past practice, I am doing this. Mr. Speaker, I would like to respond to the Representative from the Big Island on the other side of the House. I really appreciate the point that he is making and his concern for the orderly procedures of this House. I feel that if he would look at the contents of this bill, he would feel that the waiver I am requesting is justified. I think the matter before us now, Mr. Speaker, is the clarification of what you meant by the ruling."

At this point, Representative Wakatsuki rose on a point of order and stated:

"Mr. Speaker, I think the Chairwoman's request for waiver of this bill is really out of order. The reason I say this—this is not a simple request—it is a very unique one and I think this is, in a sense, a subterfuge of what transpired in the decision-making level of the Environmental Protection Committee. This bill is identical or at least a great part of it is the same to **House Bill 1792** which the Committee discussed thoroughly for two days and which the Committee finally decided to defer decision on indefinitely. Based on that decision, I don't think it is fair and proper for the Chairman, at this time, to introduce a similar bill and then attempt to have this bill waived from her Committee because the Committee has already decided on a very similar bill and I think this is a subterfuge."

Representative R. Garcia then rose and stated:

"Mr. Speaker, an accusation has been made on the floor that this is just a method of subterfuge to try and substitute this particular bill. Mr. Speaker, it's no more different than a person trying to get other people's signatures on a committee report while it is being circulated. Now, I am referring particularly to the Chairman of the Judiciary Committee. This is exactly the type of reaction that has generated on the part of Representative Jean King as she has tried to make some attempt at getting a particular bill such as this passed and on to the Judiciary Committee."

Representative Suwa again rose and stated:

"Mr. Speaker, since this has gone on so far, I would like to know the current status and how it came into that area as our Assistant Majority Leader pointed out. I would like



to know in detail on this floor this morning. Anyone who is familiar with the chronological order of how this came about, please explain to this House."

Representative King then rose and stated:

"I am rising with a great deal of reluctance. The privilege or onus, as the case may be, to respond to Representative's request, I guess, falls on me as Chairman of the Environmental Protection Committee.

The day before yesterday, when all of this was going on, I was shaking angry on the floor and at that point, it was my impulse to say on the floor of this chamber what was going on. Because I had an opportunity to think about it, because of the recess that was called and what went on in caucus. I decided that I didn't want to do that on the floor of this chamber. But now that the request has been made to the chronology of this, what happened was that last Friday evening, the Environmental Protection Committee held hearings on a number of items. The major items on the agenda were the environmental policy acts for the State and the environmental impact statement bills for the State. There was one major environmental policy act; there were three environmental impact statement bills, one of which is 1792 that we keep talking about.

**House Bill 1792** combines an environmental policy act for the State with an environmental impact statement. I think most of us feel very strongly that this State does need an environmental policy act and that there should be an assessment of the impact on the environment of all major actions. It's part of the House majority policy and I know that the minority also is very concerned with the environmental state.

The testimony at the hearing, Mr. Speaker, was overwhelming in favor of **H. B. No. 1792**. The support ranged from the Chamber of Commerce, to the American Institute of Architects, to the Sierra Club, to the Congress of the Hawaiian People, and to a number of other environmental organizations. There were a number of suggestions that they made which seem to me valid ones. The bill was supported for a number of reasons. The American Institute of Architects, for instance, pointed out that with this particular bill, we wouldn't run into the problem that they did in California when they put across an environmental impact statement bill . . ."

Representative Wakatsuki, on a point of order, stated:

"Mr. Speaker, I think the speaker is attempting to speak on the merits of the bill.

I think the question asked was the circumstances surrounding the signing of the signatures and the unsigning of signatures and I will have something to say later on."

The Chair then asked Representative King to confine her remarks to the question asked by the Finance Chairman.

Representative Suwa then rose and stated:

"That is correct. I do not want to hear the merits or demerits of the bill but how the actual signatures came about."

Representative J. Garcia then stated:

"Mr. Speaker, I again rise on a point of order. I think that the lady should be allowed to go on because confession is always good for the soul."

The Chair reiterated:

"Representative King, will you confine yourself to the question asked by the Finance Chairman. Proceed."

Representative King continued:

"I think the point made by the Chairman of the Judiciary Committee is well taken, Mr. Speaker. I would like to thank the Representative from the Big Island on the other side of the aisle. I don't feel I'm confessing anything and as I said, I am rising with great reluctance.

I mentioned the widespread support of 1792 because this is the basis from which the subsequent actions were taken. The hearing was held Friday night. Over the weekend, I looked at all the testimonies and I gave the whole matter a lot of thought and prepared a draft of the committee report which was subsequently typed up. I feel that the overwhelming support for 1792 was important which is why I made it at great length, but I won't touch on that any more.

Anyway, Tuesday morning at 8:30, we called a decision-making meeting of the Environmental Protection Committee which ran for two hours which, in my experience, was about as thorough a decision-making meeting as has been held. To this point, based on my feeling about 1792, I had the committee report typed up and this was open to change, depending on what the Committee decided. Well, after the two hours, there was obviously some fundamental differences of opinion between the Chairman of the Judiciary Committee and myself but I personally felt that I had the consensus of the Committee so that I finished circulating the committee report because I was anxious to file it as soon as possible and I think the fact that I got six signatures out of the seven members

of my Committee is an indication that my consensus was accurate.

At the time the session started, there was one person who had not yet been reached for his signature. My staff has gone to his office and they said they didn't know where he was or when he would come back so I brought the bill, the committee report and the draft signed by the six members of my Committee and the one blank signature to the person who had not yet signed it. He looked at it and spoke to the other members of the Committee who had already signed it. Three members of the Committee had signed it with reservations and one of them, in the interest of accuracy, has stated that he told my Committee Clerk at the time he signed it that he reserved the right to change his opinion. As I am speaking, I am trying to decide in my own mind how much detail I want to go into because the one person who had not signed his signature to the committee report attempted to get a commitment from me in terms of his signature and the signatures of the other members who had already signed. Because of this statement, I asked who the other Committee members were and I went over to one of them and someone in the gallery said later they were wondering what was going on because they could see the little white bottle coming out.

The end result of all this was that two of the members who had already signed blanked out their names on the committee report. A third member whom I spoke to, and at that point I think I already didn't need to, told me at that point, when I gave him the opportunity again, that he was beginning to have some reservations about the bill although he had signed free and clear and I said that it was certainly valid if he had reservations—why, sign it with reservations and he pointed out that he never voted *kanalua*. He didn't like to sign things with reservations, that he would rather have his signature free and clear so that was fine. The bill was given to the Clerk of the House and taken over there to be run off and at that point, this Committee member was taken over by one of the objecting Committee members and at that point, he blanked out his signature; therefore, I was one signature short of reporting the bill out of my Committee.

Because I felt very strongly that there should be some environmental policy measure and some environmental impact statement measure, I called another decision-making session of the Environmental Protection Committee for yesterday morning at 8:00 o'clock. At that session, we discussed some other things but the major thing was this and I suggested that the Representative who felt most strongly about 1792 that I would like to have the environmental policy act and the environmental impact statement

bill—two separate bills—flowing out of your Temporary Commission on Environmental Planning go to his Committee. I suggested that H. B. 1792 go just as well since it had received such widespread support and since all the members of the Judiciary Committee are on the Environmental Protection Committee. On that suggestion, we took a vote. I was in favor of it. There were five other people—members of the Committee besides myself, present. Four of them said that they thought that was a good idea to report all three bills out from the Environmental Protection Committee to the Judiciary Committee. So I thought that was all settled. The one remaining member—I am going down in order of seating—the one remaining member who was the last person at that point said that he would like to request an executive session of the Environmental Protection Committee because he was going to make some remarks that might be damaging to the reputation of an individual. I respected his wishes. It seems to me that it is a valid point and, in fact, in the open meeting sunshine bill that I have introduced, the exception there, one of them, is that if an individual's reputation is going to be affected, though the individual himself waives this closed meeting, it is all right to go ahead. So I asked the people who were present if they would mind stepping outside and no objection was made and they all went out. In the executive session, and because it was an executive session, I don't feel very well that I can say what happened. The accusations against the individual were made; he was not there to defend himself and, perhaps, since such an important decision was made in terms of the State on the basis of this accusation, it may be well if that individual so request that we have an open meeting in which this matter is discussed but that is something for future decision.

The accusations were made; the session was held and it seemed that a re-decision would be made on 1792. As I said, the decision was, in terms of the votes already taken in the open decision-making session, the decision was to report 1792 out with the other two bills. At that point, in the executive committee hearing where it seemed that a decision was going to be made, we opened the doors again and everybody came back in and at that point, one of the members of the Committee moved that the reporting out of 1792 be deferred indefinitely, seconded by another member. Four members voted for it so 1792 was deferred indefinitely.

I wonder if this answers the Representative's request."

Representative Suwa replied:

"I have heard one side; now, I would like

to hear the other side of the story.”

The Chair called on Representative Wakatsuki and he responded as follows:

“Mr. Speaker, I feel compelled that I should have a day in court here inasmuch as my name has been bantered around connected to 1792.

In this instance, there is no need for names—we all know who that individual is. But let me tell the House here and the media and the audience it was a decision—not a one-man decision, but a decision by the majority members of the Committee. But let’s start from when the committee report was being circulated.

The committee report was drafted, as I understand it, by the Chairman or whoever drafted under the direction of the Chairman prior to the Committee meeting to make decisions on the bills that she mentioned were on the agenda for the hearing and this bill and the committee report were circulated first to one member who had signed with reservations and it is told to me and to the Majority Policy members that he had wanted really to discuss the bill thoroughly, that he had signed it with reservations with that understanding and out of friendship.

That bill was subsequently circulated to another member and that member told the Chairman or the person who circulated the report that she ought to have a decision-making meeting before the committee report is being circulated for passage out of the Committee. So, subsequently, my office gets a phone call from the Chairman indicating to me that there will be a decision-making meeting on the bills at 8:00 the next morning and at that particular meeting, as she had indicated, there were some thorough discussions on the matter and I recall then, when this matter was being discussed at great length, there were present the Chairman and five members, but one had his own meeting to conduct; the other had left for some other business when an impasse was realized in the Committee. I think it was one of the members who signed the committee report without any reservation who indicated at that time that we were at an impasse and it was at that time that the Assistant Majority Leader who indicated on this floor that I had used subterfuge in speaking to my colleagues to get their understanding as to the impact of the bill and the ramifications involved in moving the bill out of the Committee.

He indicated at that time that we ought not to use such words as impasse. Then the meeting was recessed with no decision made by the Committee members present that the bill and a committee report should be circulated

for signatures. I come to the floor of the House ready to take my seat when this committee report is brought to me for signature. I looked at the committee report; I did not have time to read it thoroughly and I saw that the signatures were there; some with reservations, some without.

Now, Mr. Speaker and members of this House, when does one not have the right to speak to any member in this House or any member of a Committee irrespective of whether he had signed the report or had not signed the report. The opportunity, the right or privilege to confer, and discuss matters relating to the bill, or the bill itself, or the committee report at any time—what is the subterfuge here when I, as a Representative, go and speak to members of the Committee or anyone else here regarding the bill, regarding the committee report and the impact of the signatures. There is no subterfuge; I am exercising my right as a Representative on this floor and I give that same right and privilege to the person who accuses me of using subterfuge. The person who accused me of subterfuge was, in all earnest, attempting to convince the individuals to sign ‘I do not concur’ or to leave the signatures on as is. He can practice that but others cannot. I don’t say he is using subterfuge—I think that is his right and he ought to use whatever persuasion he has to convince others in his point of view, but I think he should extend me and every other member the same right and privilege, Mr. Speaker.

This is how it happened, Mr. Speaker, and, subsequently, the Chairman requested another meeting. We had another thorough discussion and the majority of the members decided to defer action on H. B. 1792 indefinitely.”

The Chair then asked Representative Suwa if he was satisfied with what was said by the Chairman of the Environmental Protection Committee and the Chairman of the Judiciary Committee to which Representative Suwa replied in the affirmative.

Representative King again rose and stated:

“Mr. Speaker, we still haven’t clarified the original point.”

The Chair replied:

“The Chair made it very clear that any request from the floor, the Chair will look at the bill or bills and make the proper referral or referrals. I think the point is very clear.

Representative King continued:

"Would it be reasonable to assume, Mr. Speaker, the fact that you looked at the bill and made these referrals and the first one has been waived that you would follow the same pattern that you had originally decided on when you looked at this specific bill?"

The Chair responded:

"The Chair did not waive any bills."

Representative King further stated:

"Now I didn't say that the Chair did but the Chairman of your Committee on Environmental Protection has waived referral."

The Chair then stated that he will take care of Representative King's request.

Representative King then stated:

"I wonder. . . I hate to keep the members here. I haven't accused anyone of subterfuge you know and I would like to make that clear."

There are some points that the previous speaker made that I would like to clarify and I don't know whether to beg the indulgence of the House—we are having long sessions that will get longer and I don't know whether the general feeling here is that I should pursue this matter. I think some unfair things were said but I had the privilege of speaking first; I don't know whether I get the closing summation to the jury or not."

The Chair stated:

"As far as the Chair is concerned, there are only two persons involved—the Madam Chairman and the Chairman of the Judiciary Committee—and the Finance Chairman was satisfied with the answer so the Chair suggest that we close the matter right now."

The Chair then recognized Representative Uechi who stated:

"Mr. Speaker, could I ask the Chairman of the Judiciary Committee a question?"

Representative O'Connor then rose and stated:

"Mr. Speaker, point of order—there is nothing before this Body."

The Chair stated that the point was well taken.

Representative Uechi then continued:

"Mr. Speaker, I have sat over here, listening to all the arguments for and against whatever matters that have been discussed on the floor. I am glad that Representative Suwa

is satisfied—I am not. That is the reason why I am asking whether the Chairman of the Judiciary Committee will yield to a question."

Representative O'Connor again rose and stated:

"Mr. Speaker, may I have a ruling on my point of order?"

The Chair stated:

"Point is well taken. The Chair rules that the only persons concerned were the Chairman of the Environmental Protection Committee and the Chairman of the Judiciary Committee. . ."

Representative Uechi interrupted:

"Is the answer yes or no? That is all I'm asking."

The Chair then stated:

"Would you be recognized first? As far as the Chair is concerned, the Chairman of the Finance Committee is satisfied so the Chair will suggest that we go on with the business."

Representative Wong then rose on a point of order and upon being recognized by the Chair, stated:

"Mr. Speaker, I really don't want to belabor this matter any more; however, Mr. Speaker, we have been subjected to both sides of the story for the past thirty minutes. I am glad that the Chairman of Finance is satisfied with the explanation, but I think there are 49 other members here who are entitled to ask the proponents or opponents in this particular instance certain questions and this, to me, Mr. Speaker, is the essence that once any matter is brought up before this Body, it becomes the property of this Body. I cannot see a ruling where the Majority Leader stands up and rules that this matter has been discussed. It has been discussed on the floor for the past half hour and it is the proper matter of this Body."

If it is the intent of the Majority Leader to keep this down after a half hour, I think, Mr. Speaker, he should be ruled out of order relative to his motion.

The Chair replied:

"Representative Wong, the Chair, on a prior request by the Majority Leader that there were no business before the floor, the Chair requested the Majority Leader to allow the Madam Chairman to answer questions because the Chair previously asked her to hold it up until the end of the calendar and the Chair acceded to her request and so, as far as the Chair is concerned, the matter is closed."

Representative Wong continued:

"Well then, Mr. Speaker, if this be the case, then we should not have been here for the past half hour. For the mere fact that the Chair ruled and allowed a discussion to take place would give every member of the House a perfect right to discuss what I consider to be a most serious matter relative to a bill which affects this State and the mere fact, Mr. Speaker, that this debate, again I repeat for the third time, has been going on for half an hour. I think that members of this House are entitled to ask both of the opponents in this particular issue any question as the right of the Finance Chairman to ask."

Representative Roehrig rose on a point of order and stated:

"Mr. Speaker, I would suggest that since we have had statements made by the Chairmen of the Environmental Protection Committee and the Judiciary Committee, if either one of these Chairmen have anything further to say, that they be given an opportunity to speak further so if Representative King wants to say something..."

Representative Cobb rose and stated:

"Point of order, Mr. Speaker..."

Representative Roehrig continued:

"I am not through with my statement, Mr. Cobb.

I was going to suggest that if Representative King has anything further to say, that she might be allowed to say it and that

would be the end of it. Most members probably will be satisfied if she had anything further to say, commentary or otherwise. That might be the end of it."

Representative Kunimura rose on a point of order and stated:

"What the hell we have here? Hell is not a bad word but this is hell, Mr. Speaker, when you allow a person to rise on a point of order and he makes a point of suggestion."

The Chair stated that the point was well taken and recognized Representative Uechi.

Representative Uechi then stated:

"I think I can end this discussion by just putting my request on the floor again to the Chairman of the Judiciary Committee. If he says no..."

At this point, Representative Wakatsuki rose and stated:

"I will answer the question. I agree with Representative Wong that we are belaboring this matter so my answer is no."

Representative Uechi replied:

"Thank you, Mr. Speaker."

#### ADJOURNMENT

At 12:33 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m., tomorrow, March 1, 1974.

## THIRTY-SECOND DAY

**Friday, March 1, 1974**

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Very Reverend Thomas Choo, Associate Pastor, St. Augustine Church, after which the Roll was called showing all members present with the exception of Representatives Amaral, Takamine, Ushijima and Wakatsuki who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Thirty-First Day.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Thirty-First Day was approved.

### ORDER OF THE DAY

#### COMMITTEE REFERRALS

The following bills (H. B. Nos. 2719-74 to 2757-74) were disposed of as follows:

H. B. No.	Referred to:
2719-74	Committee on Agriculture, then to the Committee on Finance
2720-74	Committee on Judiciary and Corrections
2721-74	Committee on Judiciary and Corrections
2722-74	Committee on Finance
2723-74	Committee on Finance
2724-74	Committee on Finance
2725-74	Committee on Finance
2726-74	Committee on Finance
2727-74	Committee on Water, Land Use and Development
2728-74	Committee on Finance
2729-74	Committee on Finance
2730-74	Committee on Environmental Protection, then to the Committee on Judiciary and Corrections
2731-74	Committee on Public Health and Welfare
2732-74	Committee on Public Health and Welfare, then to the Committee on Consumer Protection, then to the Committee on Finance
2733-74	Committee on Public Health and Welfare, then to the Committee on Federal-State-County
2734-74	Committee on Public Health and Welfare
2735-74	Committee on Education, then to the Committee on Finance
2736-74	Committee on Housing, then to the Committee on Finance
2737-74	Committee on Consumer Protection
2738-74	Committee on Public Health and Welfare
2739-74	Committee on Environmental Protection, then to the Committee on Judiciary and Corrections
2740-74	Committee on Finance
2741-74	Committee on Finance
2742-74	Committee on Finance
2743-74	Committee on Finance
2744-74	Committee on Labor and Public Employment, then to the Committee on Finance
2745-74	Committee on Transportation, then to the Committee on Finance
2746-74	Committee on Transportation, then to the Committee on Finance
2747-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2748-74	Committee on Finance
2749-74	Committee on Labor and Public Employment, then to the Committee on Judiciary and Corrections
2750-74	Committee on Labor and Public Employment
2751-74	Committee on Water, Land Use and Development
2752-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2753-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections
2754-74	Committee on Water, Land Use and Development, then to the Committee on Agriculture



2755-74 Committee on Water, Land Use and Development, then to the Committee on Finance

2756-74 Committee on Judiciary and Corrections

2757-74 Committee on Finance

#### DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 274 to 279) were disposed of as follows:

H. R. No.	Referred to:
274	Committee on Federal-State-County
275	Committee on Higher Education, then to the Committee on Finance
276	Committee on Higher Education
277	Committee on Public Health and Welfare
278	Committee on Higher Education, then to the Committee on Finance
279	Committee on Agriculture

#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 110-74) informing the House that House Bill Nos. 2719-74 to 2757-74, House Resolution Nos. 273 to 279, and Standing Committee Report Nos. 111-74 to 125-74 had been printed and distributed.

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

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 111-74) recommending that H. B. No. 2264-74 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 2264-74 passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the majority of the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 112) recommending that H. B. No. 2517-74 pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Lee, seconded by Representative Kato and carried, the report of the majority of the Committee was adopted and H. B. No. 2517-74 passed Second Reading and was

referred to the Committee on Agriculture.

Representative Lee, for the majority of the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 113-74) recommending that H. B. No. 2518-74 pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Lee, seconded by Representative Kato and carried, the report of the majority of the Committee was adopted and H. B. No. 2518-74 passed Second Reading and was referred to the Committee on Agriculture.

Representative Lee, for the majority of the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 114-74) recommending that H. B. No. 2341-74 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Kato and carried, the report of the majority of the Committee was adopted and H. B. No. 2341-74 passed Second Reading and was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 115-74) recommending that H. B. No. 2083-74 pass Second Reading and be recommitted to the Committee on Finance with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2083-74, as amended, entitled: 'A Bill for an Act relating to consultant contracts and management studies,' passed Second Reading and was recommitted to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 116-74) recommending that H. B. No. 1868, H. D. 1 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 1868, H. D. 1 was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 117-74) recommending that H. B. No. 465 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 465 was referred to the Committee on Finance.

Representative Kawakami, for the Committee

on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 118-74**) recommending that **H. B. No. 299** be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and **H. B. No. 299** was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 119-74**) recommending that **H. B. No. 2197-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and **H. B. No. 2197-74** passed Second Reading and was placed on the calendar for Third Reading, Monday, March 4, 1974.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 120-74**) recommending that **H. B. No. 2266-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and **H. B. No. 2266-74** passed Second Reading and was placed on the calendar for Third Reading Monday, March 4, 1974.

Representative Iha, for the Committee on Transportation, presented a report (**Stand. Com. Rep. No. 121-74**) recommending that **H. B. No. 2223-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and **H. B. No. 2223-74** passed Second Reading and was placed on the calendar for Third Reading Monday, March 4, 1974.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 122-74**) recommending that **H. B. No. 745** be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Kato and carried, the report of the Committee was adopted and **H. B. No. 745** was referred to the Committee on Finance.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 123-74**) recommending that **H. R. No. 96** be referred to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Kihano and carried, the report of the Committee was adopted and **H. R. No. 96** was referred to the Committee on Finance.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 124-74**) recommending that **S. B. No. 17, S. D. 2** pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Kato, seconded by Representative Kihano and carried, the report of the Committee was adopted and **S. B. No. 17, S. D. 2**, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 125-74**) recommending that **H. B. No. 2263-74** pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and **H. B. No. 2263-74** passed Second Reading and was referred to the Committee on Finance.

The Chair here directed the Clerk to note that printed copies of **H. B. Nos. 2197-74, 2266-74** and **2223-74** were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (**H. R. Nos. 280** and **281**) were read by the Clerk and were disposed of as follows:

A resolution (**H. R. No. 280**) congratulating the University of Hawaii Rainbows on receiving and accepting a bid to the National Invitational Tournament and wishing them success, good luck and godspeed was jointly offered by Representatives Kimura, Aduja, Ajifu, Aki, Akizaki, 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, Poepoe, Saiki, Sakima, Soares, Suwa, Uechi, Ushijima, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Kimura, seconded by Representative Ushijima and carried, **H. R. No. 280** was adopted.

At this time, Representative Kimura introduced to the members of the House Mr. Bruce O'Neil, Coach of the Rainbow Basketball Team; Mr. Tom Henderson, player; and Mr. Art Woolaway. The Chair then appointed Representatives Fong, Wong, and Roehrig to escort Mr. O'Neil, and Tom Henderson to the rostrum whereupon Mr.

O'Neil and Tom Henderson addressed the members of the House.

A resolution (H. R. No. 281) honoring the memory of Hyotaro Inouye and extending condolences and deepest sympathies to his family was jointly offered by Representatives Beppu, Ajifu, Aki, Akizaki, A. Chong, Cobb, J. Garcia, Hapai, Iha, Kawakami, Kihano, Kimura, King, Kunimura, Lee, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Sakima, Suwa, Uechi, Wasai, Wedemeyer, Wong, Yamada, Young and Yuen.

By unanimous consent, the following resolution (H. R. Nos. 282 to 284) and concurrent resolution (H. C. R. No. 36) were referred to the Committee on Legislative Management and further action was deferred until Monday, March 4, 1974.

A resolution (H. R. No. 282) commending the work of the Animal Species Advisory Commission's Subcommittee on Forestry was jointly offered by Representatives A. Chong, Aduja, Aki, Akizaki, Amaral, Carroll, W. Chong, de la Cruz, Fong, J. Garcia, Hapai, Iha, Kato, King, Kishinami, Kondo, Kunimura, Lee, Lunasco, Medeiros, Nakama, Oda, Poepoe, Suwa, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yamada and Yim.

A resolution (H. R. No. 283) requesting the United States of America and its various governmental agencies to cooperate with the State of Hawaii and its counties in the formulation and implementation of environmental programs was jointly offered by Representatives King and A. Chong.

A resolution (H. R. No. 284) requesting the Department of Education to develop an agricultural curriculum and pilot project to encourage Hawaii's youth to consider and pursue careers in agriculture was jointly offered by Representatives Oda, Aduja, Ajifu, Aki, W. Chong, Fong, J. Garcia, Hapai, Lunasco, Soares, Uechi, Wasai, Wong and Yamada.

A concurrent resolution (H. C. R. No. 36) requesting the United States of America and its various governmental agencies to cooperate with the State of Hawaii and its counties in the formulation and implementation of environmental programs was jointly offered by Representatives King and A. Chong.

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

Upon reconvening at 12:24 o'clock a.m., the Chair directed the Clerk to note the presence of Representative Wakatsuki.

#### INTRODUCTION OF HOUSE BILLS

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the following bills (H. B. Nos. 2758-74 to 2798-

74) passed First Reading by title and were referred to the Committee on Legislative Management:

#### H. B. No.

2758-74 "A Bill for an Act relating to salaries in the Judiciary Department, amending Chapters 602, 603, and 601, Hawaii Revised Statutes."

Introduced by: Representative Beppu.  
(By request)

2759-74 "A Bill for an Act amending Section 701-108 of the Hawaii Penal Code, relating to time limitations."

Introduced by: Representative Beppu.  
(By request)

2760-74 "A Bill for an Act relating to banks."

Introduced by: Representative Yap.  
(By request)

2761-74 "A Bill for an Act relating to the creation of a State planning council."

Introduced by: Representatives King and A. Chong.

2762-74 "A Bill for an Act relating to workmen's compensation."

Introduced by: Representative Lee.

2763-74 "A Bill for an Act relating to maintenance, control, restriction, and expungement of records of minors maintained by courts, police and social agencies."

Introduced by: Representative R. Garcia.

2764-74 "A Bill for an Act making appropriations for various projects on Maui, Molokai, and Lanai—Maui County."

Introduced by: Representatives Kondo, de la Cruz and Medina.

2765-74 "A Bill for an Act relating to the registration of reporters."

Introduced by: Representatives Oda, Aduja, Ajifu, W. Chong, Fong, J. Garcia, Hapai, Lee, Soares and Uechi.

2766-74 "A Bill for an Act relating to criminal injuries compensation."

Introduced by: Representatives Oda, Aduja, Ajifu, Aki, W. Chong, Fong, J. Garcia, Hapai, Soares, Uechi and Yamada.

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| <p>2767-74 "A Bill for an Act making appropriations for capital improvement projects in the Twenty-Second Representative District of Hawaii."</p> <p>Introduced by: Representatives Oda and Lunasco.</p>  | <p>2775-74 "A Bill for an Act making an appropriation for capital improvement project, County of Hawaii."</p> <p>Introduced by: Representatives Suwa, W. Chong, J. Garcia, Hapai, Roehrig and Takamine.</p>  |
| <p>2768-74 "A Bill for an Act making an appropriation for the installation of highway lights on Kamehameha Highway between Ikuwai Street and Waimea Bay."</p> <p>Introduced by: Representatives Oda and Lunasco.</p>  | <p>2776-74 "A Bill for an Act making appropriations for capital improvement projects in the First Representative District of Hawaii."</p> <p>Introduced by: Representatives Suwa, W. Chong, J. Garcia, Hapai, Roehrig and Takamine.</p>  |
| <p>2769-74 "A Bill for an Act relating to the allotment system and aggregate fiscal and manpower controls."</p> <p>Introduced by: Representatives Saiki, Fong, Kawakami, Kishinami, Medina and Poepoe.</p>  | <p>2777-74 "A Bill for an Act relating to the United States of America's Bicentennial Celebration and making an appropriation therefor. . ."</p> <p>Introduced by: Representatives Wedemeyer, Akizaki, A. Chong, de la Cruz, Hapai, Kawakami, Medina, Poepoe, Takamine, Ushijima and Yuen.</p> |
| <p>2770-74 "A Bill for an Act relating to the performance of studies."</p> <p>Introduced by: Representatives Saiki, Aduja, Aki, Fong, Hapai, Kawakami, King, Medeiros, Oda, Poepoe, Ushijima, Wakatsuki, Yap and Young.</p>                                     | <p>2778-74 "A Bill for an Act relating to the dedication of historical sites used for commercial purposes and the taxation thereof."</p> <p>Introduced by: Representatives King, R. Garcia, Kawakami and Kimura.</p>   |
| <p>2771-74 "A Bill for an Act relating to uniform gifts to minors."</p> <p>Introduced by: Representatives Morioka, Akizaki, Iha, Kawakami, Kihano, Kimura, Kondo, Kunimura, Nakama, O'Connor, Sakima, Suwa, Wakatsuki, Wedemeyer, Wong, Yap, Yim and Yuen.</p>  | <p>2779-74 "A Bill for an Act relating to vocational education and job placement for convicted persons."</p> <p>Introduced by: Representatives Cobb, Carroll, R. Garcia, Kihano, Medina, Wong, Yamada and Yuen.</p>  |
| <p>2772-74 "A Bill for an Act making an appropriation for repairs to facilities at the Food Distribution Center, Honolulu, Oahu, Hawaii."</p> <p>Introduced by: Representatives Akizaki, de la Cruz, Kishinami, Kondo, Morioka, Nakama, Suwa and Wedemeyer.</p> | <p>2780-74 "A Bill for an Act making an appropriation for capital improvement projects at Windward Community College."</p> <p>Introduced by: Representatives Ajifu, Aduja, W. Chong, Medeiros, Oda, Waisai and Yuen.</p>   |
| <p>2773-74 "A Bill for an Act relating to firearms and ammunition."</p> <p>Introduced by: Representatives Akizaki, de la Cruz, Kishinami, Kondo, Morioka, Nakama, Suwa and Wedemeyer.</p>   | <p>2781-74 "A Bill for an Act making an appropriation for capital improvement projects in the Twenty-Third Representative District of Hawaii."</p> <p>Introduced by: Representatives Ajifu, Aduja, W. Chong, Medeiros, Oda, Waisai and Yuen.</p>   |
| <p>2774-74 "A Bill for an Act relating to deposits of public funds."</p> <p>Introduced by: Representatives Kunimura, Kawakami and Yamada.</p>   | <p>2782-74 "A Bill for an Act making an appropriation for a capital improvement project at Waimea School."</p> <p>Introduced by: Representatives Hapai, Aduja, W. Chong, J. Garcia, Medeiros, Roehrig, Soares and Suwa.</p>  |

2783-74 "A Bill for an Act relating to the Uniform State Code of Military Justice."

Introduced by: Representative Carroll.

2784-74 "A Bill for an Act relating to fishing."

Introduced by: Representatives Uechi, Aki, A. Chong, J. Garcia, Hapai, Kawakami, Kihano, Lee, Medina, Oda, Takamine, Wong and Yuen.

2785-74 "A Bill for an Act relating to agriculture."

Introduced by: Representatives Uechi, Aki, A. Chong, J. Garcia, Hapai, Kawakami, Kihano, Kunimura, Lee, Leopold, Lunasco, Medina, Oda, Poepoe, Roehrig, Takamine, Wong and Yuen.

2786-74 "A Bill for an Act relating to Agriculture."

Introduced by: Representatives Uechi, Aki, A. Chong, J. Garcia, Hapai, Kawakami, Kihano, Kunimura, Lee, Leopold, Lunasco, Medina, Oda, Poepoe, Roehrig, Takamine, Wong and Yuen.

2787-74 "A Bill for an Act relating to improving the organization and coordination of agricultural programs and programs related to agriculture."

Introduced by: Representatives Uechi, Aki, Hapai, Kawakami, Kihano, Lunasco, Medina, Oda, Roehrig and Yuen.

2788-74 "A Bill for an Act relating to the reapportionment of the Board of Education."

Introduced by: Representative Wasai.

2789-74 "A Bill for an Act relating to the mechanic's lien law."

Introduced by: Representative Yap.  
(By request)

2790-74 "A Bill for an Act relating to the mechanic's lien law."

Introduced by: Representative Yap.  
(By request)

2791-74 "A Bill for an Act relating to the definitions of "wholesaler" and "jobber" in the general excise tax law."

Introduced by: Representatives Suwa, Akizaki, Kishinami and Kunimura.

2792-74 "A Bill for an Act relating to the de-

velopment of a statewide comprehensive policy/program plan for agriculture."

Introduced by: Representative Aki.

2793-74 "A Bill for an Act relating to regulation of movable signs alongside public highways."

Introduced by: Representatives Cobb, A. Chong, Wasai and Yuen.

2794-74 "A Bill for an Act relating to service retirement."

Introduced by: Representatives Ajifu, Aduja, W. Chong, Leopold, Oda and Soares.

2795-74 "A Bill for an Act relating to an appropriation for the control and eradication of papaya virus disease."

Introduced by: Representative Suwa.

2796-74 "A Bill for an Act relating to real estate brokers and salemen."

Introduced by: Representatives O'Connor, Aki, Akizaki, W. Chong, J. Garcia, Iha, Kimura, Kishinami, Morioka, Nakama, Oda, Soares, Suwa, Takamine and Wong.

2797-74 "A Bill for an Act relating to land trusts."

Introduced by: Representatives O'Connor, Aki, Akizaki, W. Chong, J. Garcia, Iha, Kimura, Lee, Morioka, Nakama, Oda, Soares, Suwa, Takamine and Wong.

2798-74 "A Bill for an Act relating to the Office of Revisor of Statutes and Statute Revision."

Introduced by: Representatives Suwa and Akizaki.

#### SUSPENSION OF RULES

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the rules were suspended for the purpose of taking up a bill on Third Reading on the basis of a modified consent calendar.

#### THIRD READING

##### H. B. No. 2440-74

Representative Kawakami moved that H. B. No. 2440-74, having been read throughout, pass Third Reading, seconded by Representative A. Chong.

At this time, Representative Kawakami rose to speak for the passage of the bill as follows:

"Mr. Speaker, I rise to speak in favor of **House Bill 2440, House Draft 1**. Now, this may seem like a "small" bill, especially since it relates to a "small" fish. **House Bill 2440** pertains to the regulation of the harvesting of this very small fish from our ocean waters. As they say, the value of an object is not related to its size, and this certainly is the case when it comes to the nehu. It is used in the tuna industry as bait for catching aku because the silvery nehu will attract schools of aku from the ocean depths to the surface by staying near the top of the water. This makes it easier for the fishermen to catch aku.

This bill, as amended, would regulate the harvesting of live nehu to only those licensed commercial fishermen in the aku fishing industry for the purpose of conserving this valuable bait fish which the commercial tuna industry depends on. This measure will not prevent anyone from catching nehu for home consumption.

Mr. Speaker, the original law on the taking of nehu by licensed commercial fishermen was enacted in 1929, years before the development of our present-day harvesting technique.

Your Committee on Water, Land Use and Development, as well as the Department of Land and Natural Resources, have received disturbing reports from licensed commercial fishermen that the nehu population is declining around our islands. In Kaneohe Bay, the situation is now considered critical, particularly since this was formerly an area containing one of the most fertile concentrations of nehu bait fish.

A worried tuna industry and an equally concerned State are working together to try and solve this problem. And it is agreed by all that one of the things that will help is to restrict the taking of nehu to only those licensed commercial fishermen who are involved with the tuna industry and therefore have need of the nehu as live bait.

Mr. Speaker, the fishing industry in Hawaii is one that we here in the Legislature have looked at as a means of broadening our economic base. Our State has long supported our commercial fishing industry through such programs as the New Vessel Construction Loan Fund. However, the fishing industry, in order to remain viable, is dependent upon the availability of bait, and the aku industry in particular, is dependent upon the live nehu for bait purposes.

There is no other bait fish which reacts as it does and which produces the same aku yields. The University of Hawaii, along with

the tuna industry and others, have long experimented with infinite numbers of other bait-fish varieties in order to find a better bait fish, or at least a substitute for the nehu. Apparently, Mr. Speaker, there is none.

Therefore, Mr. Speaker, this bill will have the effect of conserving the already decreasing numbers of live nehu for the aku industry for it is the live nehu that is so vital to them and it is the live nehu that they want to conserve. Moreover, the Hawaii Tuna Boatowners Association has agreed to furnish dead nehu to those who want them, at no charge.

**House Bill 2440, House Draft 1**, will work to strengthen our aku fishing industry through the best and wisest use of its mainstay—the live nehu. And perhaps the most important reason why this is a good bill, Mr. Speaker, is that it doesn't cost any money.

Therefore, Mr. Speaker, I urge all the members of this Honorable Body to vote for this bill.

Thank you."

Representative Kimura rose to speak for the passage of the bill as follows:

"Mr. Speaker, I rise to speak in favor of this bill.

The survival of an entire industry may depend upon the passage of this bill. Nehu currently provides the best bait for catching tuna. The production and use of numerous varieties of bait have proved economically unfeasible or unsuitable to catch aku.

Large quantities of nehu are being taken and sold illegally, depleting the existing supply of nehu and jeopardizing the livelihood of the tuna fishermen. Tuna fishermen spend approximately one-third of their fishing time looking for bait, but they are finding it increasingly difficult to catch sufficient amounts of nehu for their fishing operations.

Tuna provides the most significant component of the Hawaiian fishing industry, providing approximately 82 percent of the total weight and 67 percent of the value of the total marine catches in Hawaii. The fresh fish market for aku in Hawaii is the largest in the nation. People in Hawaii consume more than two million pounds of fresh aku annually, with more than two-thirds of the catch being sold to the cannery.

During the past decade, both the amount and value of the annual tuna catch have fluctuated and, while commercial fishing is not a dying industry, the number of boats have declined steadily. This lack of growth



in the industry is due to profit margins which are too low to induce investment.

The fishing industry involves a wide variety of uncertainties and risks, and the added threat of depleted supplies of the vital nehu restricts growth in the industry and the opportunity to increase productivity.

Government sources have provided growth incentives through the establishment of loan programs, but no amount of financial aid will help the tuna fishermen if the population of nehu is not preserved.

For the continued survival of a vital, local industry, I urge the passage of this bill which would limit the taking of large quantities of nehu to commercial tuna fishermen employed by tuna boats for use as bait, with the only other allowance being made for catch-

ing nehu in limited quantities for personal consumption."

The motion to pass **H. B. No. 2440-74** on Third Reading was put by the Chair and carried by a vote of 45 ayes to 1 no, with Representative A. Chong voting no and Representatives Amaral, Carroll, Roehrig, Takamine and Ushijima being excused.

The Chair here directed the Clerk to note that **H. B. No. 2440-74** had passed Third Reading not earlier than 12:32 o'clock p.m.

#### ADJOURNMENT

At 12:37 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. Monday, March 4, 1974.

## THIRTY-THIRD DAY

Monday, March 4, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Paul Marshall, Associate Pastor of Kaimuki Christian Church, after which the Roll was called showing all members present with the exception of Representatives Carroll, A. Chong and Kihano who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Thirty-Second Day.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Thirty-Second Day was approved.

### GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 55) transmitting copies of the 1972 Annual Report prepared by the Department of Personnel Services pursuant to Section 76-56, Hawaii Revised Statutes, was read by the Clerk and was placed on file.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 15 and 16) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 15) transmitting Senate Bill No. 1573-74 entitled: "A Bill for an Act relating to solemnization of marriages," which passed Third Reading in the Senate on March 1, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 16) transmitting Senate Bill No. 1526-74 entitled: "A Bill for an Act relating to veterinary licensing examinations," which passed Third Reading in the Senate on March 1, 1974, was placed on file.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, S. B. Nos. 1573-74 and 1526-74 passed First Reading by title and further action was deferred until later in the calendar.

### MISCELLANEOUS COMMUNICATION

A communication from Shiro Amioka, Professor of Education, University of Hawaii, (Misc. Com. No. 20) acknowledging receipt of House Resolution No. 136 was read by the Clerk and was placed on file.

## ORDER OF THE DAY

### COMMITTEE REFERRALS

The following bills (H. B. Nos. 2758-74 to 2798-74) and S. B. Nos. 1526-74 and 1573-74) were disposed of as follows:

H. B. No.	Referred to:
2758-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2759-74	Committee on Judiciary and Corrections
2760-74	Committee on Consumer Protection
2761-74	Committee on Water, Land Use and Development, then to the Committee on Environmental Protection, then to the Committee on Finance
2762-74	Committee on Labor and Public Employment, then to the Committee on Finance
2763-74	Committee on Judiciary and Corrections
2764-74	Committee on Finance
2765-74	Committee on Judiciary and Corrections
2766-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2767-74	Committee on Finance
2768-74	Committee on Finance
2769-74	Committee on Finance
2770-74	Committee on Finance
2771-74	Committee on Judiciary and Corrections
2772-74	Committee on Finance
2773-74	Committee on Judiciary and Corrections
2774-74	Committee on Finance
2775-74	Committee on Finance
2776-74	Committee on Finance
2777-74	Committee on Finance
2778-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2779-74	Committee on Judiciary and Cor-

	rections, then to the Committee on Finance
2780-74	Committee on Finance
2781-74	Committee on Finance
2782-74	Committee on Finance
2783-74	Committee on Judiciary and Corrections
2784-74	Committee on Water, Land Use and Development
2785-74	Committee on Agriculture, then to the Committee on Finance
2786-74	Committee on Agriculture, then to the Committee on Finance
2787-74	Committee on Agriculture, then to the Committee on Finance
2788-74	Committee on Education
2789-74	Committee on Public Health and Welfare, then to the Committee on Finance
2790-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections
2791-74	Committee on Finance
2792-74	Committee on Agriculture, then to the Committee on Finance
2793-74	Committee on Transportation
2794-74	Committee on Labor and Public Employment, then to the Committee on Finance
2795-74	Committee on Agriculture, then to the Committee on Finance
2796-74	Committee on Consumer Protection
2797-74	Committee on Judiciary and Corrections
2798-74	Committee on Judiciary and Corrections
<b>S. B. No.</b>	<b>Referred to:</b>
1572-74	Committee on Consumer Protection
1573-74	Committee on Judiciary and Corrections

**DEFERRED RESOLUTIONS**

**H. R. No. 282** was placed on the Clerk's desk.

The following resolutions (**H. R. Nos. 283 and 284**) and concurrent resolution (**H. C. R. No. 36**) were disposed of as follows:

<b>H. R. No.</b>	<b>Referred to:</b>
283	Committee on Environmental Protection, then to the Committee on Federal-State-County
284	Committee on Education, then to the Committee on Finance
<b>H. C. R. No.</b>	<b>Referred to:</b>
36	Committee on Environmental Protection, then to the Committee on Federal-State-County

**STANDING COMMITTEE REPORTS**

Representative Akizaki, for the Committee on Legislative Management, presented a report (**Stand. Com. Rep. No. 126-74**) informing the House that **House Bill Nos. 2758-74 to 2798-74**, **House Resolutions Nos. 280 to 284**, **House Concurrent Resolution No. 36** and **Standing Committee Report Nos. 127-74 to 134-74** had been printed and distributed.

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

Representative King, for the Committee on Environmental Protection, presented a report (**Stand. Com. Rep. No. 127-74**) recommending that **H. B. No. 2067-74** pass Second Reading and be referred jointly to the Committees on Judiciary and Corrections and Finance.

On motion by Representative King, seconded by Representative Medina and carried, the report of the Committee was adopted and **H. B. No. 2067-74** passed Second Reading and was referred jointly to the Committees on Judiciary and Corrections and Finance.

Representative King, for the Committee on Environmental Protection, presented a report (**Stand. Com. Rep. No. 128-74**) recommending that **H. B. No. 2234-74** pass Second Reading and be referred to the Committee on Judiciary and Corrections with certain amendments.

On motion by Representative King, seconded by Representative Medina and carried, the report of the Committee was adopted and **H. B. No. 2234-74**, as amended, passed Second Reading and was referred to the Committee on Judiciary and Corrections.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 129-74**) recommending that **H. B. No. 2485-74** pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the report of the Committee was adopted and **H. B.**

No. 2485-74, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 5, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 130-74) recommending that H. B. No. 2622-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 2622-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 5, 1974.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 131-74) recommending that H. R. No. 62 be adopted with certain amendments.

Representative J. Garcia moved that action on Stand. Com. Rep. No. 131-74 on H. R. No. 62 be deferred until the end of the calendar, and the Chair, noting that there was no objection, so ordered.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 132-74) recommending that H. R. No. 98 be adopted with certain amendments.

Representative J. Garcia moved that action on Stand. Com. Rep. No. 132-74 on H. R. No. 98 be deferred until the end of the calendar, and the Chair, noting that there was no objection, so ordered.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 133-74) recommending that H. R. No. 63 be adopted with certain amendments.

Representative J. Garcia moved that action on Stand. Com. Rep. No. 133-74 on H. R. No. 63 be deferred until the end of the calendar, and the Chair, noting that there was no objection, so ordered.

At 11:38 o'clock, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:53 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives A. Chong and Kihano.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 134-74) recommending that H. B. No. 2547-74 be recommitted with certain amendments.

On motion by Representative King, seconded by Representative Medina and carried, the report

of the Committee was adopted and H. B. No. 2547-74, as amended, was recommitted to the Committee on Environmental Protection.

The Chair directed the Clerk to note that printed copies of H. B. Nos. 2485-74, H. D. 1 and 2622-74, H. D. 1 were made available to the members of the House at 11:30 o'clock a.m.

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

By unanimous consent, H. R. No. 282 was taken from the Clerk's desk.

On motion by Representative A. Chong, seconded by Representative King and carried, H. R. No. 282 was adopted.

#### INTRODUCTION OF RESOLUTIONS

A resolution (H. R. No. 285) honoring Sister 286) were read by the Clerk and were disposed of as follows:

The resolution (H. R. No. 285) honoring Sister (Adrianne) Jean Mundy and extending best wishes on her sixty-ninth birthday was jointly offered by Representatives Yap, 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, Yim, Young, Yuen and Beppu.

On motion by Representative Yap, seconded by Representative Sakima and carried, H. R. No. 285 was adopted.

At this time, Representative Yap introduced to the members of the House Sister (Adrianne) Jean Mundy. Accompanying Sister Mundy were Mr. Norman Flagg and Jackie Waiwaiole.

A resolution (H. R. No. 286) congratulating Mr. Hideo "Major" Okada for his many years of community service was jointly offered by Representatives Young, Aduja, Ajifu, Aki, Akizaki, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, 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, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Yuen and Beppu.

On motion by Representative Young, seconded by Representative Kihano and carried, H. R. No. 286 was adopted.

At 11:58 o'clock a.m., the Chair declared

a recess, subject to the call of the Chair.

At 12:20 o'clock p.m., the House of Representatives reconvened.

At this time, Representative J. Garcia rose and stated that he had a resolution to offer.

The Chair referred the resolution to the Committee on Legislative Management.

Representative J. Garcia then rose and stated:

"Thank you, Mr. Speaker, but before I let the resolution pass in that light, may I ask the Speaker's indulgence in leaving the resolution on the Clerk's desk for further signatures."

The Speaker stated that there was no objection.

Representative J. Garcia continued:

"This, Mr. Speaker, as the Clerk well knows and you also know, this is the House Concurrent Resolution introduced by the Republicans and Democrats asking for a ten-day recess of this legislative body. We sincerely hope that the committee or committees to which this measure will be referred will give the resolution its or their very serious and deliberate consideration."

By unanimous consent, the following resolutions (H. R. Nos. 287 to 289) and concurrent resolutions (H. C. R. Nos. 37 to 40) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 5, 1974:

A resolution (H. R. No. 287) relating to the return of revenue from recent tuition hikes to the University of Hawaii was jointly offered by Representatives Ushijima, A. Chong, Fong, R. Garcia, Kawakami, Kishinami, Medina, Oda, Sakima, Suwa, Yap and Yuen.

A resolution (H. R. No. 288) requesting the Board of Regents of the University of Hawaii to insure that a portion of the increased revenues from tuition hikes be used to increase course offerings and student support services was jointly offered by Representatives Ushijima, A. Chong, Fong, R. Garcia, Kawakami, Kishinami, Medina, Oda, Sakima, Suwa, Yap and Yuen.

A resolution (H. R. No. 289) requesting the Board of Regents of the University of Hawaii to insure that a portion of the increased revenues from tuition hikes be used to establish a program of equal education opportunity for the disadvantaged was jointly offered by Representatives Ushijima, A. Chong, Fong, R. Garcia, Kawakami, Kishinami, Medina, Oda, Sakima, Suwa, Yap and Yuen.

A concurrent resolution (H. C. R. No. 37) requesting a ten-day recess of the Seventh

Legislature, Regular Session of 1974 was jointly offered by Representatives Soares, Aduja, Ajifu, Aki, Amaral, W. Chong, Cobb, Fong, J. Garcia, Hapai, Leopold, Medeiros, Oda, Poe-poe, Saiki and Yamada.

A concurrent resolution (H. C. R. No. 38) requesting the Department of Education to design a program for identifying gifted students and for supplementing their educational experiences with programs designed to systematically enhance their talents and their leadership potential was jointly offered by Representatives A. Chong, Aduja, Ajifu, Aki, Akizaki, de la Cruz, Fong, J. Garcia, Hapai, Ing, Kishinami, Lunasco, Ushijima and Wedemeyer.

A concurrent resolution (H. C. R. No. 39) requesting the Board of Regents of the University of Hawaii to insure that a portion of the increased revenues from tuition hikes be used to increase course offerings and student support services was jointly offered by Representatives Ushijima, A. Chong, Fong, R. Garcia, Kawakami, Kishinami, Medina, Oda, Sakima, Suwa, Yap and Yuen.

A concurrent resolution (H. C. R. No. 40) requesting the Board of Regents of the University of Hawaii to insure that a portion of the increased revenues from tuition hikes be used to establish a program of equal educational opportunity for the disadvantaged was jointly offered by Representatives Ushijima, A. Chong, Fong, R. Garcia, Kishinami, Medina, Oda, Sakima, Suwa, Yap and Yuen.

### INTRODUCTION OF BILLS

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the following bills (H. B. Nos. 2799-74 to 3097-74) passed First Reading by title and were referred to the Committee on Legislative Management:

#### H. B. No.

2799-74 "A Bill for an Act relating to fees for service of process."

Introduced by: Representative Lee.

2800-74 "A Bill for an Act making an appropriation and establishing a marketing services program."

Introduced by: Representative Lee.

2801-74 "A Bill for an Act relating to pensioners who return to employment."

Introduced by: Representative Lee.

2802-74 "A Bill for an Act relating to the transfer of public employment program personnel."

Introduced by: Representative Lee.

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| <p>2803-74 "A Bill for an Act relating to income taxation."</p> <p>Introduced by: Representatives Roehrig, Hapai and Suwa.</p> <p>2804-74 "A Bill for an Act making an appropriation for the hiring of two vocational counselors for Hawaii Community College, County of Hawaii."</p> <p>Introduced by: Representatives Roehrig, J. Garcia, Hapai and Suwa.</p> <p>2805-74 "A Bill for an Act making an appropriation for the hiring of a shuttle bus driver, Hawaii Community College, County of Hawaii."</p> <p>Introduced by: Representatives Roehrig, J. Garcia, Hapai and Suwa.</p> <p>2806-74 "A Bill for an Act relating to workmen's compensation."</p> <p>Introduced by: Representative Lee.</p> <p>2807-74 "A Bill for an Act making an appropriation for a grant-in-aid to the City and County of Honolulu for the resurfacing and construction of berms On Gulick Avenue, Honolulu, Oahu."</p> <p>Introduced by: Representative R. Garcia.</p> <p>2808-74 "A Bill for an Act making an appropriation for the development of Sand Island Park, Oahu."</p> <p>Introduced by: Representative R. Garcia.</p> <p>2809-74 "A Bill for an Act relating to a transfer of lands."</p> <p>Introduced by: Representative R. Garcia.</p> <p>2810-74 "A Bill for an Act relating to solicitation by telephone."</p> <p>Introduced by: Representative Fong. (By Request)</p> <p>2811-74 "A Bill for an Act relating to the dedication of historical sites used for commercial purposes and the taxation thereof."</p> <p>Introduced by: Representatives King, Akizaki, A. Chong, W. Chong, Kihano, Kishinami, Lee, Leopold, Morioka, Saiki, Suwa, Wong and Yuen.</p> <p>2812-74 "A Bill for an Act making an appropriation for studying and developing a reorganization plan for an integrated</p> | <p>Hawaii services delivery system."</p> <p>Introduced by: Representative Kondo.</p> <p>2813-74 "A Bill for an Act relating to work incentive programs."</p> <p>Introduced by: Representative Lee.</p> <p>2814-74 "A Bill for an Act making an appropriation for supplemental funds for the improvement of Salt Lake Boulevard, Oahu."</p> <p>Introduced by: Representative Lee.</p> <p>2815-74 "A Bill for an Act making an appropriation for expansion of the school health services program."</p> <p>Introduced by: Representative Lee.</p> <p>2816-74 "A Bill for an Act making an appropriation for improvement at Aala Park."</p> <p>Introduced by: Representative Lee.</p> <p>2817-74 "A Bill for an Act making an appropriation for Kauluwela Playground, Honolulu, Oahu."</p> <p>Introduced by: Representative Lee.</p> <p>2818-74 "A Bill for an Act relating to bonus payments in the employees retirement system."</p> <p>Introduced by: Representative Lee.</p> <p>2819-74 "A Bill for an Act making an appropriation for the implementation of the clerical worker reclassification survey."</p> <p>Introduced by: Representative Lee.</p> <p>2820-74 "A Bill for an Act relating to fees for commercial employment agencies."</p> <p>Introduced by: Representative Lee.</p> <p>2821-74 "A Bill for an Act relating to the employment security law."</p> <p>Introduced by: Representatives Lee, Ajifu, J. Garcia, Morioka and Soares.</p> <p>2822-74 "A Bill for an Act appropriating money for completion of master plan concerning small boat harbor and boat launching facilities at Maunalua Bay Beach Park by the Department of Transportation, Harbors Division."</p> <p>Introduced by: Representatives O'Connor, Fong, Kihano, Lee, Medina, Morioka, Oda and Wong.</p> <p>2823-74 "A Bill for an Act appropriation for a</p> |
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	study re subsidized hospital or emergency clinic facilities in Hawaii-Kai."	Introduced by: Representative Beppu. (By Request)
	Introduced by: Representatives O'Connor, Fong, Kihano, Lee, Medina, Morioka, Oda and Wong.	
2824-74	"A Bill for an Act making an appropriation for Koko Head District Park."	Introduced by: Representative Beppu. (By Request)
	Introduced by: Representatives O'Connor, Fong, Kihano, Lee, Medina, Morioka and Wong.	
2825-74	"A Bill for an Act appropriation for study re feasibility of providing school bus service for children attending public schools on Oahu."	Introduced by: Representative Beppu. (By Request)
	Introduced by: Representatives O'Connor, Fong, Kihano, Lee, Medina, Morioka, Oda and Wong.	
2826-74	"A Bill for an Act relating to the inspection of elevators, escalators, and other similar mechanical moving devices."	Introduced by: Representative Beppu. (By Request)
	Introduced by: Representatives O'Connor, Fong, Kihano, Lee, Medina, Morioka, Oda and Wong.	
2827-74	"A Bill for an Act relating to elevator mechanics."	Introduced by: Representative Beppu. (By Request)
	Introduced by: Representative O'Connor, Fong, Kihano, Medina, Morioka, Oda and Wong.	
2828-74	"A Bill for an Act relating to election campaign contributions and expenditures."	Introduced by: Representative Beppu. (By Request)
	Introduced by: Representatives O'Connor, Fong, Kihano, Lee, Medina, Morioka, Oda and Wong.	
2829-74	"A Bill for an Act relating to environmental quality."	Introduced by: Representative Beppu. (By Request)
	Introduced by: Representative Beppu. (By Request)	
2830-74	"A Bill for an Act relating to the creation of a State planning council."	Introduced by: Representative Beppu. (By Request)
	Introduced by: Representative Beppu. (By Request)	
2831-74	"A Bill for an Act relating to congressional districts."	Introduced by: Representative Beppu. (By Request)
	Introduced by: Representative Beppu. (By Request)	
2832-74	"A Bill for an Act relating to aid to Kona coffee processors."	Introduced by: Representative Beppu. (By Request)
2833-74	"A Bill for an Act relating to time limitation for prosecution of parking violations."	Introduced by: Representative Beppu. (By Request)
2834-74	"A Bill for an Act relating to the land use commission."	Introduced by: Representative Beppu. (By Request)
2835-74	"A Bill for an Act relating to criminal tax penalties."	Introduced by: Representative Beppu. (By Request)
2836-74	"A Bill for an Act relating to time limitations for prosecution of income tax evasion."	Introduced by: Representative Beppu. (By Request)
2837-74	"A Bill for an Act relating to the administration of oaths."	Introduced by: Representative Beppu. (By Request)
2838-74	"A Bill for an Act relating to the Office of Organized Crime Control in the Department of the Attorney General and repealing Section 28-71, Hawaii Revised Statutes."	Introduced by: Representative Beppu. (By Request)
2839-74	"A Bill for an Act relating to status of women."	Introduced by: Representative Beppu. (By Request)
2840-74	"A Bill for an Act relating to imprinting CUSIP identification numbers on bonds issued by the State, the counties and the Board of Regents of the University of Hawaii."	Introduced by: Representative Beppu. (By Request)
2841-74	"A Bill for an Act relating to investment of the employee's retirement system in home loans made by the Department of Hawaiian Home Lands."	Introduced by: Representative Beppu. (By Request)

- 2842-74 "A Bill for an Act relating to certain occupations licensed by the Department of Health."  
Introduced by: Representative Beppu. (By Request)
- 2843-74 "A Bill for an Act relating to certain occupations licensed by the Department of Health."  
Introduced by: Representative Beppu. (By Request)
- 2844-74 "A Bill for an Act relating to the disposition of lands set aside by the Governor."  
Introduced by: Representative Beppu. (By Request)
- 2845-74 "A Bill for an Act relating to the termination of parental rights by the family courts."  
Introduced by: Representative Beppu. (By Request)
- 2846-74 "A Bill for an Act to provide for establishment of a special fund for the College of Tropical Agriculture of the University of Hawaii."  
Introduced by: Representative Beppu. (By Request)
- 2847-74 "A Bill for an Act making an appropriation for the planning and site selection of a rifle range to be located on Maui."  
Introduced by: Representative Medina.
- 2848-74 "A Bill for an Act relating to condominiums."  
Introduced by: Representative Medina.
- 2849-74 "A Bill for an Act relating to the preservation of shoreline areas and their environs."  
Introduced by: Representative Medina.
- 2850-74 "A Bill for an Act relating to condominiums and short-term rental units."  
Introduced by: Representative Medina.
- 2851-74 "A Bill for an Act making an appropriation for the planning and construction of a four-classroom building at Lanai High and Elementary School."  
Introduced by: Representatives de la Cruz, Akizaki, A. Chong, R. Garcia, Kihano, King, Kishinami, Kondo, Lee, Medina, Morioka, Suwa, Uechi, Wong, Yap and Yuen.
- 2852-74 "A Bill for an Act making an appropriation for highway improvements to Kunia Road, Ewa, Oahu."  
Introduced by: Representative Young.
- 2853-74 "A Bill for an Act making an appropriation for Waialua Intermediate and High School, Oahu."  
Introduced by: Representatives Lunasco, Akizaki, A. Chong, de la Cruz, King, Kishinami, Kondo, Kunimura, Medina, Nakama, Oda, Roehrig, Suwa, Takamine, Wasai, Wedemeyer, Wong, Yap, Young and Yuen.
- 2854-74 "A Bill for making an appropriation for traffic lights on Kamehameha Highway, Oahu."  
Introduced by: Representatives Lunasco, Akizaki, A. Chong, de la Cruz, King, Kishinami, Kondo, Kunimura, Medina, Nakama, Oda, Roehrig, Suwa, Takamine, Wasai, Wedemeyer, Wong, Yap, Young and Yuen.
- 2855-74 "A Bill for an Act relating to the Hawaii Penal Code."  
Introduced by: Representative Wakatsuki. (By Request)
- 2856-74 "A Bill for an Act relating to the establishment of a University student health services revolving fund."  
Introduced by: Representatives Kishinami, Akizaki, A. Chong, Hapai, Iha, Kawakami, Kihano, Kimura, King, Kunimura, Medina, Nakama, Sakima, Suwa, Ushijima, Wasai, Wedemeyer, Yap, Yuen and Beppu.
- 2857-74 "A Bill for an Act relating to environmental impact statements."  
Introduced by: Representative Beppu. (By Request)
- 2858-74 "A Bill for an Act relating to certification as to availability of funds on contracts."  
Introduced by: Representative Beppu. (By Request)
- 2859-74 "A Bill for an Act relating to environmental quality."  
Introduced by: Representative Beppu. (By Request)
- 2860-74 "A Bill for an Act relating to environmental quality."  
Introduced by: Representative Beppu. (By Request)
- 2861-74 "A Bill for an Act relating to wage loss replacement programs administered by the Department of Labor and

<p>Industrial Relations."</p> <p>Introduced by: Representative Beppu. (By Request)</p>	<p>2871-74 "A Bill for an Act relating to the acquisition and disposition of lands for agricultural purposes."</p>
<p>2862-74 "A Bill for an Act relating to funeral leave for public officers and employees."</p> <p>Introduced by: Representative Beppu. (By Request)</p>	<p>Introduced by: Representatives Kawakami, Aduja, Aki, W. Chong, J. Garcia, Hapai, Iha, Kishinami, Lunasco, Medina, Morioka, Sakima, Takamine, Yamada and Young.</p>
<p>2863-74 "A Bill for an Act relating to the compensation rate for overtime for public officers and employees."</p> <p>Introduced by: Representative Beppu. (By Request)</p>	<p>2872-74 "A Bill for an Act relating to credit card offenses."</p>
<p>2864-74 "A Bill for an Act relating to civil service and exemptions."</p> <p>Introduced by: Representative Beppu. (By Request)</p>	<p>Introduced by: Representatives Ushijima, A. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lunasco, Medeiros, Medina, O'Connor, Oda, Sakima, Suwa, Takamine, Wedemeyer, Yap, Young, Yuen and Beppu.</p>
<p>2865-74 "A Bill for an Act relating to public officers and employees."</p> <p>Introduced by: Representative Beppu. (By Request)</p>	<p>2873-74 "A Bill for an Act relating to a master-planned sports center at the lower campus at the University of Hawaii at Manoa."</p>
<p>2866-74 "A Bill for an Act relating to a consolidated housing information, counseling and referral unit."</p> <p>Introduced by: Representative Beppu. (By Request)</p>	<p>Introduced by: Representatives Ushijima, A. Chong, Fong, R. Garcia, Kawakami, Kishinami, Medina, Oda, Sakima, Suwa, Yap and Yuen.</p>
<p>2867-74 "A Bill for an Act relating to correctional industries."</p> <p>Introduced by: Representative Beppu. (By Request)</p>	<p>2874-74 "A Bill for an Act making an appropriation for the restoration of Kawaihae Church, Oahu."</p>
<p>2868-74 "A Bill for an Act relating to taxation."</p> <p>Introduced by: Representative Beppu. (By Request)</p>	<p>Introduced by: Representatives Ushijima, A. Chong, Fong, R. Garcia, Kawakami, Kishinami, Medina, Oda, Sakima, Suwa, Yap and Yuen.</p>
<p>2869-74 "A Bill for an Act to provide for establishment of a special fund for the University of Hawaii."</p> <p>Introduced by: Representatives Ushijima, Fong, R. Garcia, Kawakami, Kishinami, Medina, Oda, Sakima, Suwa, Yap and Yuen.</p>	<p>2875-74 "A Bill for an Act relating to a prior appropriation for Roosevelt High School."</p>
<p>2870-74 "A Bill for an Act relating to rate of sewer charges under improvement by assessment."</p> <p>Introduced by: Representatives Kawakami, Aduja, Aki, W. Chong, J. Garcia, Iha, Kishinami, Kunimura, Lunasco, Medina, Morioka, Nakama, Sakima, Takamine, Uechi, Wasai, Yamada and Young.</p>	<p>2876-74 "A Bill for an Act making an appropriation for the Manoa Valley Recreation Center."</p> <p>Introduced by: Representatives Ushijima, Akizaki, A. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lunasco, Medeiros, Medina, O'Connor, Oda, Sakima, Suwa, Takamine, Wedemeyer, Yap, Young, Yuen and Beppu.</p> <p>2877-74 "A Bill for an Act relating to expenditure of public money and public contractors."</p> <p>Introduced by: Representatives O'Con-</p>

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| <p>nor, A. Chong, W. Chong, R. Garcia, Hapai, Kato, Kimura, Kishinami, Lee, Roehrig, Wong and Yuen.</p> <p>2878-74 "A Bill for an Act relating to the licensing of contractors, installation of sprinkler systems, etc."</p> <p>Introduced by: Representatives O'Connor, A. Chong, W. Chong, R. Garcia, Kato, Kimura, Kishinami, Lee, Wong and Yuen.</p> <p>2879-74 "A Bill for an Act relating to interest and usury."</p> <p>Introduced by: Representatives O'Connor, A. Chong, W. Chong, R. Garcia, Hapai, Kato, Kimura, Kishinami, Lee, Wong and Yuen.</p> <p>2880-74 "A Bill for an Act relating to the statewide traffic code."</p> <p>Introduced by: Representatives O'Connor, A. Chong, W. Chong, R. Garcia, Hapai, Kimura, Kishinami, Lee, Nakama, Roehrig, Wong and Yuen.</p> <p>2881-74 "A Bill for an Act relating to payment of subcontractors."</p> <p>Introduced by: Representatives O'Connor, Akizaki, A. Chong, R. Garcia, Hapai, Kihano, Kimura, Kishinami, Nakama, Suwa, Yap and Yuen.</p> <p>2882-74 "A Bill for an Act relating to the licensing of contractors, penalty for doing business with unlicensed contractors and for violation of Chapter 444."</p> <p>Introduced by: Representatives O'Connor, Akizaki, A. Chong, R. Garcia, Kato, Kihano, Kimura, Kishinami, Nakama, Yap and Yuen.</p> <p>2883-74 "A Bill for an Act relating to eminent domain."</p> <p>Introduced by: Representatives O'Connor, Akizaki, A. Chong, R. Garcia, Kihano, Kimura, Kishinami, Nakama, Suwa, Yap and Yuen.</p> <p>2884-74 "A Bill for an Act relating to eminent domain."</p> <p>Introduced by: Representatives O'Connor, Akizaki, A. Chong, R. Garcia, Kihano, Kimura, Kishinami, Nakama, Suwa, Yap and Yuen.</p> <p>2885-74 "A Bill for an Act making an appropriation for capital improvement projects at Kalani High School."</p> | <p>Introduced by: Representatives O'Connor, Akizaki, A. Chong, R. Garcia, Hapai, Kato, Kihano, Kimura, Kishinami, Nakama, Suwa, Yap and Yuen.</p> <p>2886-74 "A Bill for an Act making an appropriation for Kalaniana'ole Highway for inclusion of right-of-way, and design and construction of highway transit system, Aina Koa to Makapuu Point, and development of strip beach park system along Kalaniana'ole Highway."</p> <p>Introduced by: Representatives O'Connor, Hapai, Kimura, Medina, Morioka, Nakama and Wong.</p> <p>2887-74 "A Bill for an Act making an appropriation for capital improvement projects at Kaiser High School."</p> <p>Introduced by: Representatives O'Connor, Hapai, Kimura, Medina, Morioka, Nakama and Wong.</p> <p>2888-74 "A Bill for an Act relating to the residential landlord-tenant code."</p> <p>Introduced by: Representatives O'Connor, Hapai, Kimura, Medina, Morioka, Nakama and Wong.</p> <p>2889-74 "A Bill for an Act relating to the pay of State elevator inspectors."</p> <p>Introduced by: Representatives O'Connor, Kimura, Medina, Morioka, Nakama and Wong.</p> <p>2890-74 "A Bill for an Act CIP bill for improvements at Maui High School."</p> <p>Introduced by: Representatives Medina, de la Cruz and Kondo.</p> <p>2891-74 "A Bill for an Act making an appropriation for research for the benefit of the feed and forage industry in Hawaii."</p> <p>Introduced by: Representatives Takamine, Aduja, Ajifu, Aki, Akizaki, Carroll, A. Chong, W. Chong, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Lunasco, Medina, Morioka, Nakama, O'Connor, Oda, Roehrig, Sakima, Soares, Suwa, Uechi, Ushijima, Wakatsuki, Wedemeyer, Wong, Young and Yuen.</p> <p>2892-74 "A Bill for an Act relating to workmen's compensation."</p> <p>Introduced by: Representatives Takamine, Akizaki, A. Chong, W. Chong, Fong, Hapai, Iha, Kihano, Kimura,</p> |
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	King, Kishinami, Kunimura, Lee, Morioka, Nakama, Oda, Roehrig, Sakima, Suwa, Wedemeyer and Yuen.	Uniform Drug Dependence Treatment and Rehabilitation Act."
2893-74	"A Bill for an Act relating to real property tax due dates."	Introduced by: Representatives Kimura, Kunimura, Morioka and O'Connor.
	Introduced by: Representatives Takamine, Akizaki, A. Chong, Fong, J. Garcia, Hapai, Iha, Kihano, Kimura, King, Kishinami, Kunimura, Lee, Morioka, Oda, Roehrig, Sakima, Soares, Wedemeyer and Yuen.	2902-74 "A Bill for an Act making an appropriation for the repair and maintenance of public schools in the State of Hawaii."
2894-74	"A Bill for an Act relating to the improvement of data collection for State planning use."	Introduced by: Representatives Ajifu, Aduja, Aki, Amaral, W. Chong, Leopold, Medeiros and Oda.
	Introduced by: Representatives Takamine, Fong, Hapai, Iha, Kihano and Lee.	2903-74 "A Bill for an Act to amend HRS, Chapter 11, relating to elections."
2895-74	"A Bill for an Act relating to an appropriation for subsidizing the transportation costs of agricultural products."	Introduced by: Representative Akizaki. (By Request)
	Introduced by: Representatives Takamine, Fong, Hapai, Iha, Kihano and Lee.	2904-74 "A Bill for an Act to add a new chapter to Title 6 of the Hawaii Revised Statutes entitled Chapter 72, County Tort Liability Act."
2896-74	"A Bill for an Act relating to tourism coordination."	Introduced by: Representatives Akizaki and Kishinami.
	Introduced by: Representatives Takamine, Fong, J. Garcia, Hapai, Iha, Kihano, Kimura, King, Kunimura, Lee, Sakima and Yuen.	2905-74 "A Bill for an Act making an appropriation for expansion and improvements to the existing facilities at Niu Valley Intermediate School, Oahu."
2897-74	"A Bill for an Act relating to improvement by assessment."	Introduced by: Representatives Soares, Amaral, Cobb, Hapai, Leopold, Saiki, and Yamada.
	Introduced by: Representatives Takamine, Fong, J. Garcia, Hapai, Iha, Kihano, Kimura, Kunimura, Lee, Sakima and Yuen.	2906-74 "A Bill for an Act making an appropriation for capital improvement projects in the Eighth Representative District of Hawaii."
2898-74	"A Bill for an Act relating to legal malpractice."	2907-74 "A Bill for an Act making an appropriation for expansion and improvements to the existing library building, Niu Valley Intermediate School, Oahu."
	Introduced by: Representative Beppu. (By Request)	Introduced by: Representatives Soares, Amaral, Cobb, Hapai, Leopold, Saiki, and Yamada.
2899-74	"A Bill for an Act relating to home-makers."	2908-74 "A Bill for an Act making an appropriation for the Bernice P. Bishop Museum, Oahu."
	Introduced by: Representatives Kimura, Iha, Kato, Kunimura, Morioka, Nakama, Suwa, Wasai, Wedemeyer and Beppu.	Introduced by: Representatives Ushijima, A. Chong, Fong, R. Garcia, Kishinami, Medina, Oda, Sakima, Suwa, Yap and Yuen.
2900-74	"A Bill for an Act to provide for the licensure of speech pathologists and/or audiologists."	2909-74 "A Bill for an Act making an appropriation for capital improvement project in the Fifth Representative District of Hawaii."
	Introduced by: Representatives Kimura, Iha, Kato, Kunimura, Morioka, Nakama, Suwa, Wasai, Wedemeyer and Beppu.	
2901-74	"A Bill for an Act relating to the	

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|         | Introduced by: Representatives Hapai, W. Chong, J. Garcia, Roehrig, Suwa and Takamine.  |         | hano, Lee, Medina, Nakama, Sakima, Ushijima, Wasai and Yap.  |
| 2910-74 | "A Bill for an Act making an appropriation for capital improvement project in the Fifth Representative District of Hawaii."   | 2919-74 | "A Bill for an Act relating to compulsory school attendance."  |
|         | Introduced by: Representatives Hapai W. Chong, J. Garcia, Roehrig, Suwa and Takamine.   |         | Introduced by: Representatives Uechi, A. Chong, Hapai, Kawakami, Kihano, Kunimura, Lee, Lunasco, Takamine, Wong, and Yuen.                             |
| 2911-74 | "A Bill for an Act relating to take-over bid disclosures."  | 2920-74 | "A Bill for an Act making a supplemental appropriation for a basketball court at Wahiawa Elementary School."   |
|         | Introduced by: Representatives Poe-poe, J. Garcia, Hapai and Soares.  |         | Introduced by: Representatives Oda, Kihano and Lunasco.  |
| 2912-74 | "A Bill for an Act relating to an income tax refund."   | 2921-74 | "A Bill for an Act relating to establishing a revolving fund for the College of Tropical Agriculture of the University of Hawaii."                     |
|         | Introduced by: Representatives Poe-poe, Aduja, Aki, W. Chong, Fong, J. Garcia, Hapai, Leopold, Oda, Saiki, Soares and Yamada. |         | Introduced by: Representatives W. Chong, Aduja, Ajifu, Aki, J. Garcia, Hapai, Oda and Soares.  |
| 2913-74 | "A Bill for an Act relating to the organization of government."   | 2922-74 | "A Bill for an Act making appropriations for capital improvement projects in the Third Representative District of Hawaii."                             |
|         | Introduced by: Representatives Ajifu, Aduja, Aki, Amaral, W. Chong, Fong, J. Garcia, Hapai, Leopold, Oda, Soares and Yamada.  |         | Introduced by: Representatives J. Garcia, W. Chong, Hapai, Roehrig, Suwa and Takamine.   |
| 2914-74 | "A Bill for an Act relating to public school personnel."  | 2923-74 | "A Bill for an Act relating to emergencies."   |
|         | Introduced by: Representatives Ajifu, Aduja, Aki, J. Garcia, Hapai, King, Kishinami, Medina, Oda, Soares and Young.           |         | Introduced by: Representative Wong.  |
| 2915-74 | "A Bill for an Act relating to health insurance for newborn children."  | 2924-74 | "A Bill for an Act relating to electric and gas companies."  |
|         | Introduced by: Representative R. Garcia.  |         | Introduced by: Representative Wong.  |
| 2916-74 | "A Bill for an Act relating to limitation of actions."  | 2925-74 | "A Bill for an Act relating to the establishment of preservation of green belts and open spaces in the State of Hawaii."                               |
|         | Introduced by: Representatives Suwa, Akizaki, Kawakami, Kihano, Kimura, Kishinami, O'Connor, Wasai and Wong.                  |         | Introduced by: Representatives King, Akizaki, A. Chong, Cobb, R. Garcia, Kishinami, Kunimura, Nakama, Roehrig, Uechi, Wedemeyer, Wong, Young and Yuen. |
| 2917-74 | "A Bill for an Act relating to investment of State funds."  | 2926-74 | "A Bill for an Act relating to the exemption of certain property and proceeds from taxation."  |
|         | Introduced by: Representatives Suwa, and Akizaki.   |         | Introduced by: Representatives King, Akizaki, A. Chong, Cobb, R. Garcia, Kishinami, Kunimura, Nakama, Uechi, Wedemeyer, Wong, Young and Yuen.          |
| 2918-74 | "A Bill for an Act relating to the transportation of school children."  | 2927-74 | "A Bill for an Act providing for the   |
|         | Introduced by: Representatives Uechi, Akizaki, A. Chong, Hapai, Kato, Ki-   |         |  |



- establishment for a State funded radio station.”
- Introduced by: Representatives King, A. Chong, R. Garcia, Kishinami, Kunimura, Wong, Young and Yuen.
- 2928-74 “A Bill for an Act relating to workmen’s compensation.”
- Introduced by: Representative Lee.
- 2929-74 “A Bill for an Act relating to limitation of actions arising out of improvements to real property.”
- Introduced by: Representatives Morio-ka, Ajifu, Aki, Akizaki, W. Chong, de la Cruz, Iha, Kimura, Kishinami, Kondo, Kunimura, Medina, Nakama, Oda, Suwa, Takamine, Ushijima, Wedemeyer, Wong, Young, Yuen and Beppu.
- 2930-74 “A Bill for an Act making a supplemental appropriation to complete renovation of the science and art classroom building at Jarrett Intermediate School, Honolulu, Oahu.”
- Introduced by: Representatives Morio-ka, Ajifu, Aki, W. Chong, de la Cruz, Iha, Kimura, Kishinami, Kondo, Kunimura, Medeiros, Nakama, Oda, Suwa, Takamine, Wedemeyer, Young, Yuen and Beppu.
- 2931-74 “A Bill for an Act making an appropriation for plans and construction of storm drains to provide relief for existing inadequate drainage facilities at Palolo-Waialae Avenues, Honolulu, Oahu.”
- Introduced by: Representatives Morio-ka, Ajifu, Aki, A. Chong, W. Chong, de la Cruz, Iha, Kimura, Kishinami, Kondo, Kunimura, Medeiros, Medina, Nakama, Oda, Suwa, Takamine, Wedemeyer, Wong, Young, Yuen and Beppu.
- 2932-74 “A Bill for an Act making a supplemental appropriation for completion of neighborhood youth facilities at the Palolo Playground, Honolulu, Oahu.”
- Introduced by: Representatives Morio-ka, Ajifu, Aki, A. Chong, W. Chong, de la Cruz, Iha, Kimura, Kishinami, Kondo, Kunimura, Medeiros, Medina, Nakama, Oda, Suwa, Takamine, Wedemeyer, Wong, Young, Yuen and Beppu.
- 2933-74 “A Bill for an Act making a supplemental appropriation for plans and construction of a retaining wall to prevent erosion along Palolo Stream from Keanu Street to St. Louis Drive, Honolulu, Oahu.”
- Introduced by: Representatives Morio-ka, Ajifu, Aki, A. Chong, W. Chong, de la Cruz, Iha, Kimura, Kishinami, Kondo, Kunimura, Medeiros, Medina, Nakama, Oda, Suwa, Takamine, Wedemeyer, Wong, Young, Yuen and Beppu.
- 2934-74 “A Bill for an Act making a supplemental appropriation to improve facilities and to provide a community pool at Kanewai Park, Honolulu, Oahu.”
- Introduced by: Representatives Morio-ka, Ajifu, Aki, A. Chong, W. Chong, de la Cruz, Iha, Kimura, Kishinami, Kondo, Kunimura, Medeiros, Medina, Nakama, Oda, Suwa, Takamine, Wedemeyer, Wong, Young, Yuen and Beppu.
- 2935-74 “A Bill for an Act relating to vending machines.”
- Introduced by: Representatives Amara, Aki, W. Chong, de la Cruz, J. Garcia, R. Garcia, Lee, Leopold, Medeiros, Medina, Oda, Poepoe, Saiki, Soares, Takamine, Wedemeyer, Young and Yuen.
- 2936-74 “A Bill for an Act making an appropriation for Kuhio Park Terrace, Oahu.”
- Introduced by: Representatives Yap and Sakima.
- 2937-74 “A Bill for an Act relating to silver bullion.”
- Introduced by: Representative Yap.
- 2938-74 “A Bill for an Act offering the voters of Hawaii the choice of Constitutional amendments relating to the Board of Education according to Section 5 of Article XV of the Constitution.”
- Introduced by: Representative Yap.
- 2939-74 “A Bill for an Act relating to an experimental public stenographer program.”
- Introduced by: Representative Yap.
- 2940-74 “A Bill for an Act relating to studies by executive agencies.”
- Introduced by: Representative Yap.
- 2941-74 “A Bill for an Act relating to the sale of hearing aids.”

	Introduced by: Representative Yap.		priation for a mobile cancer detection unit."
2942-74	"A Bill for an Act relating to the Office of Consumer Protection."		Introduced by: Representative Suwa.
	Introduced by: Representative Yap.	2953-74	"A Bill for an Act relating to the Civil Air Patrol."
2943-74	"A Bill for an Act relating to the Office of Consumer Protection."		Introduced by: Representative Suwa.
	Introduced by: Representative Yap.	2954-74	"A Bill for an Act relating to dentistry."
2944-74	"A Bill for an Act making an appropriation for the installation of basketball court lights at Puuhale Elementary School, Oahu."		Introduced by: Representatives Yap Akizaki, Kishinami, Medeiros, Medina and Wakatsuki.
	Introduced by: Representative Lee.	2955-74	"A Bill for an Act making an appropriation for land acquisition and development of a public park at Kaiaka Point, Haleiwa, Oahu."
2945-74	"A Bill for an Act relating to unemployment compensation."		Introduced by: Representatives Lunasco and Oda.
	Introduced by: Representative Lee.	2956-74	"A Bill for an Act relating to transferring real property taxation to the several counties."
2946-74	"A Bill for an Act relating to pension and retirement systems for public officers and employees."		Introduced by: Representative Lunasco. (By Request)
	Introduced by: Representative Lee.	2957-74	"A Bill for an Act relating to motor vehicles."
2947-74	"A Bill for an Act relating to military service credit under the employees retirement system."		Introduced by: Representatives Lunasco, Akizaki, A. Chong, de la Cruz, Iha, Kishinami, Kunimura, Lee, Medina, Morioka, Nakama, Sakima, Suwa, Takamine, Ushijima, Wasai, Wedemeyer, Young and Yuen.
	Introduced by: Representatives Roehrig, de la Cruz, Lee, Lunasco, Medina, Nakama, Sakima, Suwa, Takamine, Wasai, Wedemeyer, Yap, Yim, Young and Yuen.	2958-74	"A Bill for an Act relating to sale of improved residential property."
2948-74	"A Bill for an Act relating to overtaking and passing a bicycle."		Introduced by: Representatives Lunasco, Akizaki, A. Chong, de la Cruz, Kishinami, Kunimura, Lee, Medina, Morioka, Suwa, Takamine, Ushijima, Wedemeyer and Yuen.
	Introduced by: Representatives Roehrig, Lee, Lunasco, Medina, Nakama, Sakima, Suwa, Takamine, Wedemeyer, Yap, Yim and Yuen.	2959-74	"A Bill for an Act relating to candidate expenses."
2949-74	"A Bill for an Act relating to the employees' retirement system of the State of Hawaii."		Introduced by: Representative Beppu. (By Request)
	Introduced by: Representative Lee.	2960-74	"A Bill for an Act relating to the residential landlord-tenant code."
2950-74	"A Bill for an Act relating to extended imprisonment for certain persons."		Introduced by: Representatives O'Connor, Akizaki, de la Cruz, Kawakami, Kihano, Medina, Sakima, Wakatsuki, Yap and Yuen.
	Introduced by: Representatives Fong, Ajifu, Hapai, Iha, Oda and Poepoe.	2961-74	"A Bill for an Act relating to statewide traffic code."
2951-74	"A Bill for an Act relating to prisons."		
	Introduced by: Representatives Fong, Aduja, Ajifu, W. Chong, J. Garcia, Iha, Lee, Morioka, Nakama, Oda, Poepoe and Yamada.		
2952-74	"A Bill for an Act making an appro-		

	Introduced by: Representatives O'Connor, Akizaki, de la Cruz, Kawakami, Kihano, Medina, Sakima, Wakatsuki, Yap and Yuen.		Introduced by Representatives A. Chong, Cobb, King, Morioka, Sakima, Uechi and Yuen.
2962-74	"A Bill for an Act relating to filing of notice of completion in public improvement projects."	2970-74	"A Bill for an Act relating to unemployment compensation."
	Introduced by: Representatives O'Connor, Akizaki, de la Cruz, Kawakami, Kihano, Medina, Sakima, Wakatsuki, Yap and Yuen.		Introduced by: Representatives A. Chong, Cobb, King, Kishinami, Sakima, Takamine, Wasai, Yap, Young and Yuen.
2963-74	"A Bill for an Act relating to driver of motor vehicle incapable of withdrawing his implied consent to submit to testing to determine alcoholic content of blood."	2971-74	"A Bill for an Act relating to a State board to accredit social rehabilitation residential programs for socially and/or emotionally disabled persons."
	Introduced by: Representatives O'Connor, Akizaki, de la Cruz, Kihano, Medina, Sakima, Wakatsuki, Yap and Yuen.		Introduced by: Representatives A. Chong, Akizaki, Kawakami, King, Kishinami, Medina, Nakama, Sakima, Suwa, Takamine, Wasai, Yap, Young and Yuen.
2964-74	"A Bill for an Act relating to criminal trespass."	2972-74	"A Bill for an Act to amend HRS, Chapter 76 relating to civil service law."
	Introduced by: Representatives O'Connor, Akizaki, de la Cruz, Kawakami, Kihano, Medina, Sakima, Wakatsuki, Yap and Yuen.		Introduced by: Representative Kishinami. (By Request)
2965-74	"A Bill for an Act relating to arrests, search warrants."	2973-74	"A Bill for an Act to amend Section 235-54 (c) of the Hawaii Revised Statutes relating to tax exemption for blindness."
	Introduced by: Representatives O'Connor, Akizaki, de la Cruz, Kawakami, Kihano, Medina, Sakima, Wakatsuki, Yap and Yuen.		Introduced by: Representative Kishinami. (By Request)
2966-74	"A Bill for an Act relating to consultants competitive negotiations."	2974-74	"A Bill for an Act to amend HRS, Section 347-10 (a) relating to donations and exemptions for sight conservation." Introduced by: Representative Kishinami. (By Request)
	Introduced by: Representatives O'Connor, Akizaki, de la Cruz, Kawakami, Kihano, Medina, Sakima, Wakatsuki, Yap and Yuen.	2975-74	"A Bill for an Act to amend Section 246-31 of the Hawaii Revised Statutes relating to exemption for real property for the blind and visually handicapped."
2967-74	"A Bill for an Act relating to comparative negligence."		Introduced by: Representative Kishinami. (By Request)
	Introduced by: Representatives O'Connor, Akizaki, de la Cruz, Kawakami, Kihano, Medina, Sakima, Wakatsuki, Yap and Yuen.	2976-74	"A Bill for an Act relating to temporary disability insurance."  Introduced by: Representative Lee.
2968-74	"A Bill for an Act relating to automatic elevators."	2977-74	"A Bill for an Act relating to health facilities and the issuance of revenue bonds for such facilities."
	Introduced by: Representatives O'Connor, Akizaki, Kihano, Medina, Sakima, Wakatsuki, Yap and Yuen,		Introduced by: Representatives Iha,
2969-74	"A Bill for an Act relating to rental tax credits."		

- Aki, Akizaki, W. Chong, de la Cruz, Fong, J. Garcia, Hapai, Kimura, Kishinami, Kunimura, Lee, Medina, Morioka, Nakama, O'Connor, Oda, Roehrig, Sakima, Soares, Suwa, Takamine, Ushijima, Wakatsuki, Wedemeyer, Yap, Yuen and Beppu.
- 2978-74 "A Bill for an Act making an appropriation to conduct a conference on coastal engineering."
- Introduced by: Representatives Iha, Aki, Akizaki, W. Chong, de la Cruz, Fong, J. Garcia, Kishinami, Kunimura, Lee, Medina, Morioka, Nakama, O'Connor, Oda, Sakima, Soares, Suwa, Takamine, Ushijima, Wakatsuki, Wedemeyer, Yap and Yuen.
- 2979-74 "A Bill for an Act relating to immediate notice of accident."
- Introduced by: Representatives Iha, Aki, Akizaki, W. Chong, de la Cruz, Fong, J. Garcia, Hapai, Kishinami, Kunimura, Lee, Medina, Morioka, Nakama, O'Connor, Oda, Roehrig, Sakima, Wakatsuki, Wedemeyer, Yap and Beppu.
- 2980-74 "A Bill for an Act relating to electricians and plumbers."
- Introduced by: Representatives Iha, Aki, Akizaki, de la Cruz, J. Garcia, Kimura, Kishinami, Kunimura, Lee, Medina, Morioka, Nakama, O'Connor, Oda, Soares, Takamine, Ushijima, Wakatsuki, Wedemeyer, Yap, Yuen and Beppu.
- 2981-74 "A Bill for an Act relating to the Use Tax Law."
- Introduced by: Representatives Iha, Aki, Akizaki, W. Chong, de la Cruz, Fong, J. Garcia, Kimura, Kishinami, Kunimura, Lee, Medina, Morioka, Nakama, O'Connor, Oda, Roehrig, Sakima, Soares, Suwa, Takamine, Ushijima, Wakatsuki, Wedemeyer, Yap, Yuen and Beppu.
- 2982-74 "A Bill for an Act relating to out of state printing, binding and stationary work."
- Introduced by: Representatives Iha, Lee, Aki, W. Chong, de la Cruz, Fong, J. Garcia, Hapai, Kimura, Kishinami, Kunimura, Medina, Morioka, Nakama, O'Connor, Oda, Roehrig, Sakima, Soares, Suwa, Takamine, Ushijima, Wakatsuki, Wedemeyer, Yap, Yuen and Beppu.
- 2983-74 "A Bill for an Act relating to the Hawaii Water Carrier Law."
- Introduced by: Representatives Iha, Aki, Akizaki, W. Chong, de la Cruz, Fong, J. Garcia, Kimura, Kishinami, Kunimura, Lee, Medina, Morioka, Nakama, O'Connor, Oda, Roehrig, Sakima, Soares, Suwa, Takamine, Ushijima, Wakatsuki, Yap, Yuen and Beppu.
- 2984-74 "A Bill for an Act relating to reclassification of lands."
- Introduced by: Representative Wasai.
- 2985-74 "A Bill for an Act relating to compensation of public officers and employees."
- Introduced by: Representative Wasai.
- 2986-74 "A Bill for an Act making an appropriation for various capital improvement projects for the Twenty-Third Representative District, Oahu."
- Introduced by: Representative Wasai.
- 2987-74 "A Bill for an Act making an appropriation for various capital improvement projects for the Twenty-Third Representative District, Oahu."
- Introduced by: Representative Wasai.
- 2988-74 "A Bill for an Act relating to tax exemption for solid waste recycling facilities."
- Introduced by: Representatives Aki, Aduja, Akizaki, W. Chong, de la Cruz, Hapai, Iha, Kawakami, King, Lee, Lunasco, Medeiros, Morioka, Nakama, Poepoe, Soares, Takamine, Yamada and Yap.
- 2989-74 "A Bill for an Act relating to tax deductions for solid waste recycling facilities."
- Introduced by: Representatives Aki, Aduja, Akizaki, W. Chong, de la Cruz, J. Garcia, Hapai, Iha, Kawakami, King, Lee, Lunasco, Medeiros, Morioka, Nakama, Poepoe, Soares, Takamine, Yamada and Yap.
- 2990-74 "A Bill for an Act making appropriations for highway improvements in the Twenty-First Representative District of Hawaii."
- Introduced by: Representatives Aki, Aduja, Akizaki, W. Chong, J. Garcia, Hapai, Iha, Lee, Lunasco, Medeiros, Nakama, Poepoe, Soares, Takamine, Yamada and Yap.

- 2991-74 "A Bill for an Act making appropriations for capital improvement projects in the Twenty-First Representative District of Hawaii."
- Introduced by: Representatives Aki, Akizaki, W. Chong, J. Garcia, Hapai, Iha, Kihano, Kimura, Lee, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Poepoe, Soares, Takamine, Yamada and Yap.
- 2992-74 "A Bill for an Act relating to an appropriation for the leasing of a facility for social activities of the young people in the Waianae Coast area."
- Introduced by: Representatives Aki, Aduja, W. Chong, de la Cruz, J. Garcia, Iha, Kawakami, King, Lunasco, and Takamine."
- 2993-74 "A Bill for an Act making an appropriation for the establishment of a State Park."
- Introduced by: Representatives Wong, Aduja, Akizaki, A. Chong, de la Cruz, Kondo, Kunimura, Nakama, Suwa, Uechi, Wasai, Wedemeyer, Yap and Yuen.
- 2994-74 "A Bill for an Act proposing amendments to Article III, Sections, 7, 11, and 17, and Article XVI, Section 7, of the Hawaii Constitution, to provide for year-round legislative sessions with increased requirements and salaries for the full-time legislators."
- Introduced by: Representatives Wong, Aduja, Ajifu, Akizaki, A. Chong, Cobb, de la Cruz, R. Garcia, Hapai, Iha, Kato, King, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, O'Connor, Oda, Suwa, Uechi, Wasai, Wedemeyer, Yap, Yim and Yuen.
- 2995-74 "A Bill for an Act relating to disclosure by liquid fuel distributors."
- Introduced by: Representatives Wong, Ajifu, Amaral, de la Cruz, Kawakami, Leopold, Roehrig, Ushijima, Yap and Yim.
- 2996-74 "A Bill for an Act relating to fuel tax law."
- Introduced by: Representatives Wong, Ajifu, Amaral, de la Cruz, Kawakami, Leopold, Roehrig, Ushijima, Yap and Yim.
- 2997-74 "A Bill for an Act relating to petroleum products."
- Introduced by: Representatives Wong,
- Ajifu, Amaral, de la Cruz, Kawakami, Leopold, Roehrig, Ushijima, Yap and Yim.
- 2998-74 "A Bill for an Act relating to a commission on international economic affairs."
- Introduced by Representatives Soares, Aduja and J. Garcia.
- 2999-74 "A Bill for an Act relating to radiologic technology."
- Introduced by: Representative Takamine.
- 3000-74 "A Bill for an Act relating to the definition of contractor."
- Introduced by: Representative Yap. (By Request)
- 3001-74 "A Bill for an Act relating to the Real Estate Commission and the Real Estate Recovery Fund, Chapter 467, Hawaii Revised Statutes."
- Introduced by: Representative Yap. (By Request)
- 3002-74 "A Bill for an Act relating to the Hawaii Housing Authority."
- Introduced by: Representative Aki.
- 3003-74 "A Bill for an Act making an appropriation for purchase of petroleum and petroleum product commodities."
- Introduced by: Representatives Kawakami, de la Cruz, R. Garcia, Iha, Kimura, Kondo, Saiki, Wasai and Yap.
- 3004-74 "A Bill for an Act making an appropriation for a study of potential properties for the history center."
- Introduced by: Representatives Kawakami, de la Cruz, R. Garcia, Iha, Kimura, Kondo, Saiki, Wasai and Yap.
- 3005-74 "A Bill for an Act relating to fish and game licenses for senior citizens."
- Introduced by: Representatives Kawakami, de la Cruz, R. Garcia, Iha, Kimura, Kondo, Saiki, Wasai and Yap.
- 3006-74 "A Bill for an Act making an appropriation for improvements to Salt Lake Boulevard."
- Introduced by: Representatives Wakatsuki and Uechi.
- 3007-74 "A Bill for an Act making an appro-

- priation for land acquisition for the development of a park in Salt Lake, Oahu."
- Introduced by: Representatives Wakatsuki and Uechi.
- 3008-74 "A Bill for an Act making an appropriation for the planning and construction of a paved playcourt area at Aiea Intermediate School, Oahu."
- Introduced by: Representatives Wakatsuki and Uechi.
- 3009-74 "A Bill for an Act making an appropriation for the planning of a library at Moanalua High School, Oahu."
- Introduced by: Representatives Wakatsuki and Uechi.
- 3010-74 "A Bill for an Act relating to lobbying."
- Introduced by: Representatives King, R. Garcia, Hapai, Sakima and Yap.
- 3011-74 "A Bill for an Act relating to aeronautics."
- Introduced by: Representatives King, R. Garcia, Sakima and Yap.
- 3012-74 "A Bill for an Act relating to aeronautics."
- Introduced by: Representatives King, R. Garcia, Sakima and Yap.
- 3013-74 "A Bill for an Act making appropriation for the acquisition of Salt Lake and its development as a State park."
- Introduced by: Representatives King, R. Garcia, Sakima and Yap.
- 3014-74 "A Bill for an Act relating to prisoner records."
- Introduced by: Representatives King, A. Chong, Cobb, R. Garcia, Hapai, O'Connor, Saiki, Sakima, Yap and Yuen.
- 3015-74 "A Bill for an Act relating to the application of the Hawaii Penal Code to persons sentenced prior to its effective date."
- Introduced by: Representatives King, A. Chong, Cobb, R. Garcia, Hapai, O'Connor, Saiki, Sakima, Yap and Yuen.
- 3016-74 "A Bill for an Act making an appropriation for Kaelepulu School, Oahu."
- Introduced by: Representative Yuen,
- Akizaki, A. Chong, W. Chong, Hapai, Kihano, King, Kondo, Kunimura, Lee, Medina, Wasai and Yap.
- 3017-74 "A Bill for an Act relating to crimes."
- Introduced by: Representative Yuen.  
(By Request)
- 3018-74 "A Bill for an Act relating to mental health services for children and youth."
- Introduced by: Representatives Yuen, Ajifu, Aki, Akizaki, W. Chong, J. Garcia, Iha, King, Lunasco, Medina, Wasai and Yamada.
- 3019-74 "A Bill for an Act relating to new car dealers."
- Introduced by: Representatives Yuen, A. Chong, W. Chong, Kihano, Kunimura, Lee, Medina and Yap.
- 3020-74 "A Bill for an Act relating to driver's licenses."
- Introduced by: Representatives Yuen, Akizaki, A. Chong, W. Chong, Kihano, Kunimura, Lee, Medina and Yap.
- 3021-74 "A Bill for an Act relating to family child care homes."
- Introduced by: Representative Yuen.
- 3022-74 "A Bill for an Act relating to Royal School and making an appropriation therefor."
- Introduced by: Representatives King, J. Garcia, Hapai, Iha, Kawakami, Kunimura, Leopold, Lunasco, Morioka, O'Connor, Poepoe, Saiki, Soares, Wedemeyer and Yap.
- 3023-74 "A Bill for an Act relating to Leeward Community College and making an appropriation therefor."
- Introduced by: Representatives Kihano and Young.
- 3024-74 "A Bill for an Act relating to swap meets."
- Introduced by: Representatives Kihano and Medina.
- 3025-74 "A Bill for an Act relating to the Commission on Aging."
- Introduced by: Representatives Kihano, Kunimura and Young.
- 3026-74 "A Bill for an Act relating to sterilization."



<p>Introduced by: Representative Ushijima. (By Request)</p>	<p>3036-74 "A Bill for an Act relating to the governance of the State public school system."</p>
<p>3027-74 "A Bill for an Act to provide for establishment of a revolving fund for the University of Hawaii."</p>	<p>Introduced by: Representative Sakima.</p>
<p>Introduced by: Representatives Ushijima, Kawakami, Kimura, King, Kishinami, Sakima and Beppu.</p>	<p>3037-74 "A Bill for an Act to provide for the establishment of University of Hawaii revolving funds."</p>
<p>3028-74 "A Bill for an Act relating to products and commodities."</p>	<p>Introduced by: Representatives Sakima, Hapai, Kihano, Kimura, Kishinami, Kunimura, Oda and Yap.</p>
<p>Introduced by: Representative Ushijima.</p>	<p>3038-74 "A Bill for an Act relating to the soft drinks tax."</p>
<p>3029-74 "A Bill for an Act relating to members of boards and commissions of the City and County of Honolulu."</p>	<p>Introduced by: Representative Sakima.</p>
<p>Introduced by: Representatives Ushijima, Kawakami, Kimura, King, Kishinami, Sakima and Beppu.</p>	<p>3039-74 "A Bill for an Act relating to ordinary retirement under the employee's retirement system of the State of Hawaii."</p>
<p>3030-74 "A Bill for an Act making an appropriation for the acquisition of Kuhio Park Terrace Park addition."</p>	<p>Introduced by: Representative Yap.</p>
<p>Introduced by: Representatives King and R. Garcia.</p>	<p>3040-74 "A Bill for an Act relating to taxes on drugs."</p>
<p>3031-74 "A Bill for an Act transferring the Waikiki Aquarium to the City and County of Honolulu."</p>	<p>Introduced by: Representative Yim.</p>
<p>3032-74 "A Bill for an Act relating to conversion of Linekona School to a senior citizens' center and making an appropriation therefor."</p>	<p>3041-74 "A Bill for an Act relating to the organization of State government."</p>
<p>Introduced by: Representative Sakima.</p>	<p>Introduced by: Representative Kato.</p>
<p>3033-74 "A Bill for an Act relating to duties and responsibilities in curriculum research and development."</p>	<p>3042-74 "A Bill for an Act making an appropriation for research and development of a Filipino studies program at the University of Hawaii."</p>
<p>Introduced by: Representatives Sakima, Kimura and Saiki.</p>	<p>Introduced by: Representatives Sakima, Aduja, Cobb, Fong, R. Garcia, Kawakami, Kihano, Kunimura, Lunasco, Medina, Saiki, Wong and Yap.</p>
<p>3034-74 "A Bill for an Act relating to a work-study program for University of Hawaii law students."</p>	<p>3043-74 "A Bill for an Act relating to protection of interests in land."</p>
<p>Introduced by: Representatives Sakima, Kimura and O'Connor.</p>	<p>Introduced by: Representative Beppu.</p>
<p>3035-74 "A Bill for an Act proposing an amendment to Article IX, Sections 2 and 3, of the Constitution of the State of Hawaii, relating to the governance of the public school system."</p>	<p>3044-74 "A Bill for an Act relating to the Criminal Injuries Compensation Law."</p>
<p>Introduced by: Representative Sakima.</p>	<p>Introduced by: Representative Beppu. (By Request)</p>
	<p>3045-74 "A Bill for an Act relating to appropriate bargaining units."</p>
	<p>Introduced by: Representative Beppu. (By Request)</p>
	<p>3046-74 "A Bill for an Act relating to use of drugs on animals."</p>

	Introduced by: Representative Beppu. (By Request)		Introduced by: Representative Waka- tsuki. (By Request)
3047-74	"A Bill for an Act making an appro- priation for the continuance of the Hawaii Legal Services Project, Legal Aid Society of Hawaii."	3057-74	"A Bill for an Act amending Section 514-2 of the Horizontal Property Act."
	Introduced by: Representative Beppu. (By Request)		Introduced by: Representative Waka- tsuki. (By Request)
3048-74	"A Bill for an Act relating to the con- trol of illegal dispensing and use of controlled substances."	3058-74	"A Bill for an Act making an appro- priation for the planning and urban design of central Honolulu."
	Introduced by Representative Beppu. (By Request)		Introduced by: Representative O'Con- nor.
3049-74	"A Bill for an Act relating to the Or- ganized Crime Unit."	3059-74	"A Bill for an Act relating to the uni- form testamentary additions to Trusts Act."
	Introduced by: Representative O'Con- nor.		Introduced by: Representative O'Con- nor.
3050-74	"A Bill for an Act making an appro- priation for schools in the Eighth Representative District and also Aina Haina Library."	3060-74	"A Bill for an Act relating to the reg- ulation of U-Drive motor vehicles in the State of Hawaii."
	Introduced by: Representative O'Con- nor.		Introduced by: Representative O'Con- nor.
3051-74	"A Bill for an Act relating to incon- sistency between Chapter 476 of the Hawaii Revised Statutes and Federal Laws and Regulations."	3061-74	"A Bill for an Act relating to the amendment of the Hawaii Penal Code."
	Introduced by: Representative O'Con- nor.		Introduced by: Representative O'Con- nor.
3052-74	"A Bill for an Act relating to the Ha- waii water recovery authority."	3062-74	"A Bill for an Act relating to histori- cal objects, sites and memorials."
	Introduced by: Representative Beppu. (By Request)		Introduced by: Representative Wasai.
3053-74	"A Bill for an Act relating to the reg- ulation of private pension plans."	3063-74	"A Bill for an Act relating to a credit- or's remedies."
	Introduced by: Representative Waka- tsuki. (By Request)		Introduced by: Representative O'Con- nor.
3054-74	"A Bill for an Act relating to motor vehicle pollution control."	3064-74	"A Bill for an Act making an appro- priation for library expansion at Hick- am Elementary School, Oahu."
	Introduced by: Representative Waka- tsuki. (By Request)		Introduced by: Representatives Waka- tsuki and Uechi.
3055-74	"A Bill for an Act relating to the Horizontal Property Act."	3065-74	"A Bill for an Act making an appro- priation for the expansion of the pre- sent dining room including teacher's dining room at Hickam Elementary School, Oahu."
	Introduced by: Representative Waka- tsuki. (By Request)		Introduced by: Representatives Waka- tsuki and Uechi.
3056-74	"A Bill for an Act amending Sections 514-3, 514-10 and 514-13 of the Hori- zontal Property Act."	3066-74	"A Bill for an Act making an appro- priation for the renovation of build- ings H and L for the physically handi-

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| <p>capped program at Aiea Elementary School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3067-74 “A Bill for an Act making an appropriation for the planning and construction of the improvement of the playground including sprinkler system at Alvah Scott Elementary School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3068-74 “A Bill for an Act making an appropriation for the planning and construction of an administration building at Makalapa Elementary School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3069-74 “A Bill for an Act making an appropriation for the planning and construction of an 8 classroom building at Makalapa Elementary School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3070-74 “A Bill for an Act making an appropriation for the planning and construction of a library expansion at Pearl Harbor Elementary School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3071-74 “A Bill for an Act making an appropriation for the planning and construction of a 12 classroom building at Moanalua High School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3072-74 “A Bill for an Act making an appropriation for the planning and construction of a 12 classroom building at Moanalua High School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3073-74 “A Bill for an Act making an appropriation for the planning and construction of physical education locker shower rooms at Hickam Intermediate School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3074-74 “A Bill for an Act making an appropriation for the planning and construction of a multi-purpose dining room at Hickam 4th Elementary School, Oahu.”</p> | <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3075-74 “A Bill for an Act making an appropriation for the planning and construction of an administration building at Moanalua High School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3076-74 “A Bill for an Act making an appropriation for the planning and construction of a 4 science classroom building at Moanalua High School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3077-74 “A Bill for an Act making an appropriation for the planning and construction of a swimming pool at Moanalua High School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3078-74 “A Bill for an Act making an appropriation for the planning and construction of a gymnasium at Moanalua High School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3079-74 “A Bill for an Act making an appropriation for the planning and construction of paved playcourts at Hickam Intermediate School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3080-74 “A Bill for an Act making an appropriation for the planning and construction of 12 classroom and site improvement at Hickam 4th Elementary School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3081-74 “A Bill for an Act making an appropriation for the planning and construction of 16 classroom buildings at Hickam 4th Elementary School, Oahu.”</p> <p>Introduced by: Representatives Wakatsuki and Uechi.</p> <p>3082-74 “A Bill for an Act making an appropriation for the planning and construction of 5 math classrooms at Hickam Intermediate School, Oahu.”</p> |
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| <p>Introduced by: Representatives Waka-tsuki and Uechi.</p> <p>3083-74 "A Bill for an Act making an appropriation for the planning and construction of 16 classrooms at Hickam Intermediate School, Oahu."</p> <p>Introduced by: Representatives Waka-tsuki and Uechi.</p> <p>3084-74 "A Bill for an Act making an appropriation for the planning and construction of a library at Hickam Intermediate School, Oahu."</p> <p>Introduced by: Representatives Waka-tsuki and Uechi.</p> <p>3085-74 "A Bill for an Act making an appropriation for the planning and construction of an administration building at Hickam Intermediate School, Oahu."</p> <p>Introduced by: Representatives Waka-tsuki and Uechi.</p> <p>3086-74 "A Bill for an Act making an appropriation for the planning and construction of a library at Hickam 4th Elementary School, Oahu."</p> <p>Introduced by: Representatives Waka-tsuki and Uechi.</p> <p>3087-74 "A Bill for an Act making an appropriation for the mental retardation program at Kula Sanatorium, Maui."</p> <p>Introduced by: Representatives Kondo and Medina.</p> <p>3088-74 "A Bill for an Act making an appropriation for cost items of collective bargaining agreements covering public employees and officers."</p> <p>Introduced by: Representative Beppu. (By Request)</p> <p>3089-74 "A Bill for an Act relating to elections."</p> <p>Introduced by: Representative Beppu. (By Request)</p> <p>3090-74 "A Bill for an Act relating to candidate expenses."</p> <p>Introduced by: Representative Beppu. (By Request)</p> <p>3091-74 "A Bill for an Act relating to the transfer of funds between major program areas."</p> <p>Introduced by: Representative Beppu. (By Request)</p> | <p>3092-74 "A Bill for an Act relating to the University of Hawaii."</p> <p>Introduced by: Representative Beppu. (By Request)</p> <p>3093-74 "A Bill for an Act relating to district court judges."</p> <p>Introduced by: Representative Beppu.</p> <p>3094-74 "A Bill for an Act relating to the relief of certain persons' claims against the State and providing appropriations therefor."</p> <p>Introduced by: Representative Beppu. (By Request)</p> <p>3095-74 "A Bill for an Act relating to the Executive Budget Act."</p> <p>Introduced by: Representative Beppu. (By Request)</p> <p>3096-74 "A Bill for an Act relating to in-service training for public officers and employees."</p> <p>Introduced by: Representative Beppu. (By Request)</p> <p>3097-74 "A Bill for an Act relating to a State natural energy laboratory."</p> <p>Introduced by: Representative Beppu. (By Request)</p> <p style="text-align: center;"><b>SUSPENSION OF RULES</b></p> <p>On motion by Representative Kimura, seconded by Representative J. Garcia and carried, the rules were suspended for the purpose of taking bills on Third Reading on the basis of a modified consent calendar.</p> <p style="text-align: center;"><b>THIRD READING</b></p> <p>The following bills, which were on the calendar for Third Reading, were read throughout and the following actions taken:</p> <p style="text-align: center;"><b>H. B. No. 2197-74</b></p> <p>On motion by Representative Kawakami, seconded by Representative A. Chong, <b>H. B. No. 2197-74</b> passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Uechi being excused.</p> <p style="text-align: center;"><b>H. B. No. 2266-74</b></p> <p>On motion by Representative Kawakami, seconded by Representative A. Chong, <b>H. B. No. 2266-74</b> passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Uechi being excused.</p> |
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**H. B. No. 2223-74**

On motion by Representative Iha, seconded by Representative Nakama, **H. B. No. 2223-74** passed Third Reading by a vote of 49 ayes with Representatives Carroll and Uechi being excused.

The Chair directed the Clerk to note that **H. B. Nos. 2197-74, 2266-74 and 2223-74** had passed Third Reading not earlier than 12:23 o'clock p.m.

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

By unanimous consent, **H. B. No. 991** was taken from the Clerk's desk.

Representative Kato moved that **H. B. No. 991**, having been read throughout, pass Final Reading, seconded by Representative Sakima.

Representative Kato then rose and explained:

"By way of explanation, Mr. Speaker, this measure passed the House the last session, passed the Senate unamended this session, and I believe the Constitution requires that it pass Final Reading in the House before it can be sent up to the Governor.

What this bill does, Mr. Speaker, is to delete or remove the requirement that everybody be vaccinated against smallpox. I checked with the Health people involved, and they indicated that it was not necessary. In fact, that sometimes the aftereffects of a vaccination far outweigh the danger of smallpox itself. Most European countries have repealed this requirement; most states have also done so. The Philippines, I believe, and Japan and the Orient still retain this particular requirement.

I think this is a good measure, Mr. Speaker."

The motion was put by the Chair and carried, and **H. B. No. 991** passed Final Reading by a vote of 49 ayes, with Representatives Carroll and Uechi being excused, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

**DEFERRED MATTERS FROM  
EARLIER CALENDAR**

**Stand. Com. Rep. No. 131-74 (H. R. No. 62):**

On motion by Representative King, seconded by Representative Medina and carried, **Stand. Com. Rep. No. 131-74** was adopted and **H. R. No. 62**, as amended, was adopted. **Stand. Com. Rep. No. 132-74 (H. R. No. 98):**

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, **Stand. Com. Rep. No. 132-74** was adopted and **H. R. No. 98**, as amended, entitled: 'House Resolution Relating to Conjugal and Family Visitation and Furlough for Prisoners,' was adopted.

**Stand. Com. Rep. No. 133-74 (H. R. No. 63):**

On motion by Representative King, seconded by Representative Medina and carried, **Stand. Com. Rep. No. 133-74** was adopted and **H. R. No. 63**, as amended, was adopted.

**ADJOURNMENT**

At 12:30 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, March 5, 1974.

# THIRTY-FOURTH DAY

**Tuesday, March 5, 1974**

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Elder Akira Sakima, after which the Roll was called showing all members present with the exception of Representatives Carroll, Iha, Medina, Morio-ka, Nakama and Oda who were excused.

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

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Thirty-Third Day was approved.

## ORDER OF THE DAY COMMITTEE REFERRALS

The following bills (H. B. Nos. 2799-74 to 2928-74) were disposed of as follows:

H. B. No.	Referred to:
2799-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2800-74	Committee on Agriculture, then to the Committee on Finance
2801-74	Committee on Labor and Public Employment, then to the Committee on Finance
2802-74	Committee on Labor and Public Employment, then to the Committee on Finance
2803-74	Committee on Agriculture, then to the Committee on Finance
2804-74	Committee on Higher Education, then to the Committee on Finance
2805-74	Committee on Higher Education, then to the Committee on Finance
2806-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection, then to the Committee on Finance
2807-74	Committee on Finance
2808-74	Committee on Finance
2809-74	Committee on Water, Land Use and Development, then to the Committee on Housing

2810-74	Committee on Consumer Protection
2811-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2812-74	Committee on Public Health and Welfare, then to the Committee on Finance
2813-74	Committee on Labor and Public Employment, then to the Committee on Finance
2814-74	Committee on Finance
2815-74	Committee on Education, then to the Committee on Finance
2816-74	Committee on Finance
2817-74	Committee on Finance
2818-74	Committee on Labor and Public Employment, then to the Committee on Finance
2819-74	Committee on Labor and Public Employment, then to the Committee on Finance
2820-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection
2821-74	Committee on Labor and Public Employment
2822-74	Committee on Finance
2823-74	Committee on Public Health and Welfare, then to the Committee on Finance
2824-74	Committee on Finance
2825-74	Committee on Education, then to the Committee on Finance
2826-74	Committee on Labor and Public Employment
2827-74	Committee on Consumer Protection
2828-74	Committee on Judiciary and Corrections
2829-74	Committee on Environmental Protection, then to the Committee on Judiciary and Corrections
2830-74	Committee on Water, Land Use and Development, then to the Committee on Environmental Protection, then to the Committee on Finance
2831-74	Committee on Judiciary and Corrections



2832-74	Committee on Agriculture, then to the Committee on Finance	2855-74	Committee on Judiciary and Corrections
2833-74	Committee on Judiciary and Corrections	2856-74	Committee on Higher Education, then to the Committee on Finance
2834-74	Committee on Water, Land Use and Development, then to the Committee on Judiciary and Corrections	2857-74	Committee on Environmental Protection, then jointly to the Committees on Judiciary and Corrections and Finance
2835-74	Committee on Judiciary and Corrections	2858-74	Committee on Finance
2836-74	Committee on Judiciary and Corrections	2859-74	Committee on Agriculture
2837-74	Committee on Judiciary and Corrections	2860-74	Committee on Environmental Protection, then to the Committee on Judiciary and Corrections
2838-74	Committee on Judiciary and Corrections, then to the Committee on Finance	2861-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection
2839-74	Committee on Judiciary and Corrections, then to the Committee on Finance	2862-74	Committee on Labor and Public Employment, then to the Committee on Finance
2840-74	Committee on Finance	2863-74	Committee on Labor and Public Employment, then to the Committee on Finance
2841-74	Committee on Water, Land Use and Development, then to the Committee on Finance	2864-74	Committee on Labor and Public Employment, then to the Committee on Finance
2842-74	Committee on Housing, then to the Committee on Finance	2865-74	Committee on Labor and Public Employment, then to the Committee on Finance
2843-74	Committee on Public Health and Welfare, then to the Committee on Finance	2866-74	Committee on Housing, then to the Committee on Finance
2844-74	Committee on Water, Land Use and Development, then to the Committee on Finance	2867-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2845-74	Committee on Judiciary and Corrections	2868-74	Committee on Finance
2846-74	Committee on Higher Education, then to the Committee on Finance	2869-74	Committee on Higher Education, then to the Committee on Finance
2847-74	Committee on Finance	2870-74	Committee on Federal-State-County
2848-74	Committee on Housing, then to the Committee on Consumer Protection	2871-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2849-74	Committee on Water, Land Use and Development	2872-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections
2850-74	Committee on Housing, then to the Committee on Consumer Protection	2873-74	Committee on Higher Education, then to the Committee on Finance
2851-74	Committee on Finance	2874-74	Committee on Finance
2852-74	Committee on Finance	2875-74	Committee on Finance
2853-74	Committee on Finance		
2854-74	Committee on Finance		

2876-74	Committee on Finance	2899-74	Committee on Public Health and Welfare, then to the Committee on Labor and Public Employment, then to the Committee on Finance
2877-74	Committee on Finance		
2878-74	Committee on Consumer Protection	2900-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections, then to the Committee on Finance
2879-74	Committee on Judiciary and Corrections		
2880-74	Committee on Transportation	2901-74	Committee on Public Health and Welfare, then to the Committee on Judiciary and Corrections, then to the Committee on Finance
2881-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections		
2882-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections	2902-74	Committee on Education, then to the Committee on Finance
2883-74	Committee on Judiciary and Corrections	2903-74	Committee on Judiciary and Corrections
2884-74	Committee on Judiciary and Corrections	2904-74	Committee on Judiciary and Corrections
2885-74	Committee on Finance	2905-74	Committee on Finance
2886-74	Committee on Finance	2906-74	Committee on Finance
2887-74	Committee on Finance	2907-74	Committee on Finance
2888-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections	2908-74	Committee on Finance
2889-74	Committee on Labor and Public Employment, then to the Committee on Finance	2909-74	Committee on Finance
2890-74	Committee on Finance	2910-74	Committee on Finance
2891-74	Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance	2911-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections
2892-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection	2912-74	Committee on Finance
2893-74	Committee on Finance	2913-74	Committee on Labor and Public Employment, then to the Committee on Finance
2894-74	Committee on Environmental Protection, then to the Committee on Finance	2914-74	Committee on Education, then to the Committee on Finance
2895-74	Committee on Agriculture, then to the Committee on Finance	2915-74	Committee on Consumer Protection
2896-74	Committee on Tourism, then to the Committee on Finance	2916-74	Committee on Environmental Protection, then to the Committee on Judiciary and Corrections
2897-74	Committee on Federal-State-County, then to the Committee on Judiciary and Corrections	2917-74	Committee on Finance
2898-74	Committee on Judiciary and Corrections	2918-74	Committee on Education, then to the Committee on Finance
		2919-74	Committee on Education
		2920-74	Committee on Finance
		2921-74	Committee on Higher Education, then to the Committee on Finance
		2922-74	Committee on Finance

- 2923-74 Committee on Federal-State-County, then to the Committee on Water, Land Use and Development
- 2924-74 Committee on Consumer Protection, then to the Committee on Federal-State-County, then to the Committee on Finance
- 2925-74 Committee on Environmental Protection, then to the Committee on Water, Land Use and Development, then to the Committee on Finance
- 2926-74 Committee on Tourism, then to the Committee on Water, Land Use and Development, then to the Committee on Finance
- 2927-74 Committee on Consumer Protection, then to the Committee on Finance
- 2928-74 Committee on Labor and Public Employment, then to the Committee on Consumer Protection

By unanimous consent, **H. B. Nos. 2929-74 to 3097-74** were placed on the Clerk's desk.

#### STANDING COMMITTEE REPORT

Representative Akizaki, for the Committee on Legislative Management, presented a report (**Stand. Com. Rep. No. 135-74**) informing the House that **House Bill Nos. 2799-74 to 3097-74, House Resolution Nos. 285 to 289 and House Concurrent Resolution Nos. 37 to 40** had been printed and distributed.

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

#### INTRODUCTION OF RESOLUTIONS

A resolution (**H. R. No. 290**) congratulating the Farrington High School Governors for winning the OIA Basketball Championship was jointly offered by Representatives Sakima, Yap, Lee, R. Garcia, Aduja, Ajifu, Aki, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de la Cruz, J. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Leopold, Lunasco, Medina, Morioka, Nakama, Oda, Poepoe, Roehrig, Saiki, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yim, Young, Yuen and Beppu and was read by the Clerk.

On motion by Representative Sakima, seconded by Representative Yap and carried, **H. R. No. 290** was adopted.

At this time, Representative Sakima introduced to the members of the House Coach Robert Ikehara and the members of the Farrington High School Basketball Team.

By unanimous consent, the following resolutions (**H. R. Nos. 291 to 304**) and concurrent resolutions (**H. C. R. Nos. 41 to 44**) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 6, 1974:

A resolution (**H. R. Nos. 291**) requesting Hawaii's Congressional Delegation to provide for a more prompt disposition of claims against freight forwarders was jointly offered by Representatives Iha, Aki, Akizaki, W. Chong, de la Cruz, Fong, J. Garcia, Kimura, Kishinami, Kunimura, Lee, Morioka, Nakama, O'Connor, Oda, Soares, Suwa, Takamine, Wakatsuki, Wedemeyer, Yap and Yuen.

A resolution (**H. R. No. 292**) requesting improved regulation and enforcement of laws relating to duty free shops was offered by Representative Yap. (By request)

A resolution (**H. R. No. 293**) relating to the preservation of Hawaii's native forests and to the establishment of objectives and policies thereto was jointly offered by Representatives Takamine, Akizaki, A. Chong, Fong, J. Garcia, Hapai, Iha, Kihano, Kimura, King, Kishinami, Kunimura, Lee, Morioka, Nakama, Oda, Roehrig, Sakima, Soares, Suwa, Wedemeyer, Yim and Yuen.

A resolution (**H. R. No. 294**) requesting the Department of Social Services and Housing and the Department of Budget and Finance to accord permanent full time status to homemakers was jointly offered by Representatives Kimura, Iha, Kato, Kunimura, Morioka, Nakama and Wedemeyer.

A resolution (**H. R. No. 295**) requesting that mechanized parking garage elevators be required to be manufactured, operated, and installed in accordance with certain standards was jointly offered by Representatives O'Connor, A. Chong, W. Chong, R. Garcia, Hapai, Kimura, Kishinami, Lee, Roehrig, Wong and Yuen.

A resolution (**H. R. No. 296**) requesting the Governor and the Department of Accounting and General Services to coordinate in the appointment of a single commission empowered to contract for the use and management of the Halawa Stadium was jointly offered by Representatives Soares, Aki, Carroll, Fong, J. Garcia, Oda and Yamada.

A resolution (**H. R. No. 297**) requesting the use of lands for housing was offered by Representative R. Garcia.

A resolution (**H. R. No. 298**) relating to the establishment of course outlines in the public high schools was jointly offered by Representatives Roehrig and Hapai.

A resolution (**H. R. No. 299**) requesting the Department of Education to design a program for

identifying gifted students and for supplementing their educational experiences with programs designed to systematically enhance their talents and their leadership potential was jointly offered by Representatives A. Chong, Aduja, Ajifu, Aki, Akizaki, de la Cruz, Fong, J. Garcia, Hapai, King, Kishinami, Lunasco, Ushijima and Wedemeyer.

A resolution (H. R. No. 300) requesting the construction of a footbridge in Manoa Valley, Oahu was jointly offered by Representatives A. Chong, Aduja, Ajifu, Aki, Akizaki, de la Cruz, Fong, J. Garcia, Hapai, King, Kishinami, Lunasco, Oda, Ushijima and Wedemeyer.

A resolution (H. R. No. 301) relating to State libraries was offered by Representative Sakima.

A resolution (H. R. No. 302) regarding the delay in refunding overpayments by mainland vendors, carriers, and freight forwarders was offered by Representative Sakima.

A resolution (H. R. No. 303) requesting the Department of Transportation and Department of Agriculture to jointly conduct an in-depth study on the establishment of special lower freight rates for agricultural products was jointly offered by Representatives Aki, Aduja, Akizaki, W. Chong, J. Garcia, Hapai, Iha, Lee, Lunasco, Medeiros, Morioka, Nakama, Poepoe, Soares, Takamine, Yamada and Yap.

A resolution (H. R. No. 304) requesting the Department of Education to raise salaries of high school athletic coaches was jointly offered by Representatives Medina, Akizaki, R. Garcia, Hapai, Iha, Kimura, Kishinami, Lunasco, O'Connor, Saiki, Sakima, Wedemeyer, Wong and Yuen.

A concurrent resolution (H. C. R. No. 41) relating to academic writing and research offered for sale was offered by Representative Sakima.

A concurrent resolution (H. C. R. No. 42) requesting Hawaii's Congressional Delegation to provide for a more prompt disposition of claims against freight forwarders was jointly offered by Representatives Iha, Aki, Akizaki, W. Chong, de la Cruz, Fong, J. Garcia, Kimura, Kishinami, Kunimura, Lee, Morioka, Nakama, O'Connor, Oda, Soares, Suwa, Takamine, Ushijima, Wakatsuki, Wedemeyer, Yap and Yuen.

A concurrent resolution (H. C. R. No. 43) requesting the City and County of Honolulu to

take immediate decisive action in developing the Kawaiinui Regional Park including the 260 acre parcel adjacent to the swamp was jointly offered by Representatives Medeiros, Poepoe, Ajifu, Yuen, Aduja and Wasai.

A concurrent resolution (H. C. R. No. 44) a memorial to the House of Representatives of the United States urging the immediate impeachment of the President of the United States was jointly offered by Representatives Roehrig, Kato, Lunasco, Wong and Yuen

At 11:48 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 12:09 o'clock p.m., the House of Representatives reconvened.

### SUSPENSION OF RULES

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

### THIRD READING

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

#### H. B. No. 2485-74

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, H. B. No. 2485-74 was recommitted to the Committee on Judiciary and Corrections.

#### H. B. No. 2622-74

On motion by Representative Suwa, seconded by Representative Akizaki, H. B. No. 2622-74 passed Third Reading by a vote of 46 ayes, with Representatives Carroll, Iha, Morioka, Nakama and Oda being excused.

The Chair here directed the Clerk to note that H. B. No. 2622-74 had passed Third Reading at 12:10 o'clock p.m.

### ADJOURNMENT

At 12:12 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock tomorrow, March 6, 1974.

## THIRTY-FIFTH DAY

Wednesday, March 6, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Ford Coffman, Pastor of the Windward United Church of Christ, after which the Roll was called showing all members present with the exception of Representatives R. Garcia, King, Lee, O'Connor, Takamine, Wong and Yamada who were excused.

The Clerk proceeded to read the Journal of the Thirty-Fourth Day.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Thirty-Fourth Day was approved.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 17 and 18) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 17) transmitting Senate Bill No. 1517-74 entitled: "A Bill for an Act relating to descent of property," which passed Third Reading in the Senate on March 5, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 18) transmitting Senate Bill No. 1559-74 entitled: "A Bill for an Act relating to land document registration," which passed Third Reading in the Senate on March 5, 1974, was placed on file.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, S. B. Nos. 1517-74 and 1559-74 passed First Reading by title and further action was deferred until tomorrow, March 7, 1974.

### ORDER OF THE DAY COMMITTEE REFERRALS

By unanimous consent, H. B. Nos. 2929-74 to 3097-74 were taken from the Clerk's desk and were disposed of as follows:

**H. B. No.**                      **Referred to:**

2929-74	Committee on Judiciary and Corrections
2930-74	Committee on Finance
2931-74	Committee on Finance
2932-74	Committee on Finance
2933-74	Committee on Finance

2934-74	Committee on Finance
2935-74	Committee on Judiciary and Corrections
2936-74	Committee on Finance
2937-74	Committee on Consumer Protection
2938-74	Committee on Education
2939-74	Committee on Finance
2940-74	Committee on Labor and Public Employment
2941-74	Committee on Consumer Protection
2942-74	Committee on Consumer Protection, then to the Committee on Finance
2943-74	Committee on Consumer Protection, then to the Committee on Finance
2944-74	Committee on Finance
2945-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection
2946-74	Committee on Labor and Public Employment, then to the Committee on Finance
2947-74	Committee on Labor and Public Employment, then to the Committee on Finance
2948-74	Committee on Transportation
2949-74	Committee on Labor and Public Employment, then to the Committee on Finance
2950-74	Committee on Judiciary and Corrections
2951-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2952-74	Committee on Public Health and Welfare, then to the Committee on Finance
2953-74	Committee on Transportation, then to the Committee on Finance
2954-74	Committee on Public Health and Welfare
2955-74	Committee on Finance
2956-74	Committee on Finance
2957-74	Committee on Transportation, then to the Committee on Judiciary and Corrections

2958-74	Committee on Housing, then to the Committee on Judiciary and Corrections	2978-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2959-74	Committee on Judiciary and Corrections	2979-74	Committee on Transportation
2960-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections	2980-74	Committee on Consumer Protection
2961-74	Committee on Transportation	2981-74	Committee on Transportation, then to the Committee on Finance
2962-74	Committee on Judiciary and Corrections	2982-74	Committee on Finance
2963-74	Committee on Judiciary and Corrections	2983-74	Committee on Transportation, then to the Committee on Water, Land Use and Development
2964-74	Committee on Judiciary and Corrections	2984-74	Committee on Housing, then to the Committee on Water, Land Use and Development
2965-74	Committee on Judiciary and Corrections	2985-74	Committee on Education, then to the Committee on Finance
2966-74	Committee on Labor and Public Employment, then to the Committee on Finance	2986-74	Committee on Finance
2967-74	Committee on Judiciary and Corrections	2987-74	Committee on Finance
2968-74	Committee on Consumer Protection	2988-74	Committee on Environmental Protection, then to the Committee on Finance
2969-74	Committee on Housing, then to the Committee on Finance	2989-74	Committee on Environmental Protection, then to the Committee on Finance
2970-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection	2990-74	Committee on Finance
2971-74	Committee on Public Health and Welfare, then to the Committee on Finance	2991-74	Committee on Finance
2972-74	Committee on Labor and Public Employment, then to the Committee on Finance	2992-74	Committee on Finance
2973-74	Committee on Public Health and Welfare, then to the Committee on Finance	2993-74	Committee on Water, Land Use and Development, then to the Committee on Finance
2974-74	Committee on Public Health and Welfare, then to the Committee on Finance	2994-74	Committee on Judiciary and Corrections, then to the Committee on Finance
2975-74	Committee on Public Health and Welfare, then to the Committee on Finance	2995-74	Special Committee on Energy, then to the Committee on Finance
2976-74	Committee on Labor and Public Employment, then to the Committee on Consumer Protection	2996-74	Special Committee on Energy, then to the Committee on Finance
2977-74	Committee on Public Health and Welfare, then to the Committee on Finance	2997-74	Special Committee on Energy
		2998-74	Committee on Water, Land Use and Development, then to the Committee on Finance
		2999-74	Committee on Consumer Protection, then to the Committee on Finance
		3000-74	Committee on Consumer Protection
		3001-74	Committee on Consumer Protection
		3002-74	Committee on Housing, then to the



	Committee on Water, Land Use and Development, then to the Committee on Finance	3026-74	Committee on Public Health and Welfare
3003-74	Committee on Water, Land Use and Development, then to the Committee on Finance	3027-74	Committee on Higher Education, then to the Committee on Finance
3004-74	Committee on Federal-State-County, then to the Committee on Finance	3028-74	Committee on Agriculture
3005-74	Committee on Water, Land Use and Development, then to the Committee on Finance	3029-74	Committee on Federal-State-County, then to the Committee on Judiciary and Corrections
3006-74	Committee on Finance	3030-74	Committee on Finance
3007-74	Committee on Finance	3031-74	Committee on Higher Education
3008-74	Committee on Finance	3032-74	Committee on Public Health and Welfare, then to the Committee on Finance
3009-74	Committee on Finance	3033-74	Committee on Higher Education, then to the Committee on Finance
3010-74	Committee on Judiciary and Corrections, then to the Committee on Finance	3034-74	Committee on Higher Education, then to the Committee on Finance
3011-74	Committee on Transportation	3035-74	Committee on Education
3012-74	Committee on Transportation	3036-74	Committee on Education, then to the Committee on Finance
3013-74	Committee on Water, Land Use and Development, then to the Committee on Finance	3037-74	Committee on Higher Education, then to the Committee on Finance
3014-74	Committee on Judiciary and Corrections	3038-74	Committee on Finance
3015-74	Committee on Judiciary and Corrections	3039-74	Committee on Labor and Public Employment, then to the Committee on Finance
3016-74	Committee on Finance	3040-74	Committee on Finance
3017-74	Committee on Judiciary and Corrections	3041-74	Committee on Labor and Public Employment, then to the Committee on Finance
3018-74	Committee on Public Health and Welfare, then to the Committee on Finance	3042-74	Committee on Higher Education, then to the Committee on Finance
3019-74	Committee on Consumer Protection	3043-74	Committee on Judiciary and Corrections, then to the Committee on Finance
3020-74	Committee on Transportation	3044-74	Committee on Judiciary and Corrections, then to the Committee on Finance
3021-74	Committee on Public Health and Welfare, then to the Committee on Finance	3045-74	Committee on Labor and Public Employment, then to the Committee on Finance
3022-74	Committee on Finance	3046-74	Committee on Consumer Protection
3023-74	Committee on Finance	3047-74	Committee on Judiciary and Corrections, then to the Committee on Finance
3024-74	Committee on Consumer Protection, then to the Committee on Finance		
3025-74	Committee on Public Health and Welfare, then to the Committee on Finance		

3048-74	Committee on Public Health and Welfare	3072-74	Committee on Finance
3049-74	Committee on Judiciary and Corrections, then to the Committee on Finance	3073-74	Committee on Finance
3050-74	Committee on Finance	3074-74	Committee on Finance
3051-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections	3075-74	Committee on Finance
3052-74	Committee on Environmental Protection, then to the Committee on Finance	3076-74	Committee on Finance
3053-74	Committee on Labor and Public Employment, then to the Committee on Judiciary and Corrections	3077-74	Committee on Finance
3054-74	Committee on Environmental Protection, then to the Committee on Judiciary and Corrections	3078-74	Committee on Finance
3055-74	Committee on Judiciary and Corrections	3079-74	Committee on Finance
3056-74	Committee on Judiciary and Corrections	3080-74	Committee on Finance
3057-74	Committee on Judiciary and Corrections	3081-74	Committee on Finance
3058-74	Committee on Housing, then to the Committee on Water, Land Use and Development, then to the Committee on Finance	3082-74	Committee on Finance
3059-74	Committee on Judiciary and Corrections	3083-74	Committee on Finance
3060-74	Committee on Consumer Protection	3084-74	Committee on Finance
3061-74	Committee on Judiciary and Corrections	3085-74	Committee on Finance
3062-74	Committee on Water, Land Use and Development, then to the Committee on Finance	3086-74	Committee on Finance
3063-74	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections	3087-74	Committee on Public Health and Welfare, then to the Committee on Finance
3064-74	Committee on Finance	3088-74	Committee on Labor and Public Employment, then to the Committee on Finance
3065-74	Committee on Finance	3089-74	Committee on Judiciary and Corrections
3066-74	Committee on Finance	3090-74	Committee on Judiciary and Corrections
3067-74	Committee on Finance	3091-74	Committee on Finance
3068-74	Committee on Finance	3092-74	Committee on Finance
3069-74	Committee on Finance	3093-74	Committee on Judiciary and Corrections, then to the Committee on Finance
3070-74	Committee on Finance	3094-74	Committee on Finance
3071-74	Committee on Finance	3095-74	Committee on Finance
		3096-74	Committee on Labor and Public Employment, then to the Committee on Finance
		3097-74	Committee on Water, Land Use and Development, then to the Committee on Finance

#### DEFERRED RESOLUTIONS

By unanimous consent, H. R. Nos. 291 to 304

and H. C. R. Nos. 41 to 44 were placed on the Clerk's desk.

At this time, the Chair directed the Clerk to note the presence of Representatives R. Garcia, King, Lee, O'Connor, Takamine, Wong and Yamada.

### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 136-74) informing the House that House Resolution Nos. 290 to 304, House Concurrent Resolution Nos. 41 to 44, and Standing Committee Report Nos. 137-74 to 141-74 had been printed and distributed.

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

Representative Lee, for the majority of the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 137-74) recommending that H. B. No. 443 be referred to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the majority of the Committee was adopted and H. B. No. 443, as amended, was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 138-74) recommending that H. B. No. 2256-74 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 2256-74 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 139-74) recommending that H. B. No. 1470 be referred to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 1470, as amended, was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 140-74) recommending that H. B. No. 2254-74 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 2254-74 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 141-74) recommending that H. B. No. 2255-74 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 2255-74 passed Second Reading and was referred to the Committee on Finance.

### INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 305 to 308) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 305) congratulating the Saint Joseph School for winning the Big Island 1974 Interscholastic Federation Basketball championship 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, Nakama, Oda, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yim, Yuen and Beppu.

On motion by Representative W. Chong, seconded by Representative J. Garcia and carried, H. R. No. 305 was adopted.

A resolution (H. R. No. 306) congratulating Grace Sakaida, Representative to the Hugh O'Brian Youth Foundation Leadership Seminar on Government was jointly offered by Representatives de la Cruz, Ajifu, Aki, Akizaki, A. Chong, J. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Lunasco, Medina, O'Connor, Saiki, Sakima, Suwa, Uechi, Wedemeyer, Wong, Yamada and Yuen.

On motion by Representative de la Cruz, seconded by Representative Kondo and carried, H. R. No. 306 was adopted.

A resolution (H. R. No. 307) congratulating Larry Price as the new University of Hawaii head football coach was jointly offered by Representatives Kimura, Aduja, Akizaki, Amaral, A. Chong, Cobb, Fong, R. Garcia, Iha, Kawakami, Kihano, Kishinami, Kunimura, Lee, Lunasco, Nakama, O'Connor, Oda, Saiki, Sakima, Suwa, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yap, Yuen and Beppu.

On motion by Representative Kimura, second-

ed by Representative Kunimura and carried, **H. R. No. 307** was adopted.

A resolution (**H. R. No. 308**) extending thanks and best wishes to Dave Holmes was jointly offered by Representatives Kimura, Aduja, Aki-zaki, Amaral, A. Chong, Cobb, de la Cruz, Fong, R. Garcia, Iha, Kawakami, Kihano, Kishinami, Kunimura, Lee, Lunasco, Nakama, O'Connor, Oda, Saiki, Sakima, Suwa, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yap, Yuen and Beppu.

On motion by Representative Kimura, seconded by Representative Ushijima and carried, **H. R. No. 308** was adopted.

By unanimous consent, the following resolutions (**H. R. Nos. 309 to 313**) and concurrent resolutions (**H. C. R. Nos. 45 to 48**) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 7, 1974:

A resolution (**H. R. No. 309**) requesting the Governor to establish a central telephone service to provide the public with information on availability of gasoline was offered by Representative Ushijima.

A resolution (**H. R. No. 310**) relating to signatures on bills and resolutions was offered by Representative Ushijima.

A resolution (**H. R. No. 311**) relating to a pilot project on the use of vice-principals in the public schools was offered by Representative R. Garcia.

A resolution (**H. R. No. 312**) requesting the reinstatement of railway service between Lualualei and Iroquois Point was jointly offered by Representatives Carroll, Aki, J. Garcia, Hapai, Kimura, King, Kunimura, Leopold, Lunasco, Wedemeyer, Wong, Yamada, Yap and Yuen.

A resolution (**H. R. No. 313**) requesting a portion of land between Lualualei and Iroquois Point

involving a railroad engine house and adjacent tracks for use as a museum was jointly offered by Representatives Carroll, Aki, J. Garcia, Hapai, Kimura, King, Kunimura, Leopold, Lunasco, Wedemeyer, Wong, Yamada, Yap and Yuen.

A concurrent resolution (**H. C. R. No. 45**) requesting the Governor to establish a central telephone service to provide the public with information on availability of gasoline was offered by Representative Ushijima.

A concurrent resolution (**H. C. R. No. 46**) relating to a pilot project on the use of vice-principals in the public schools was offered by Representative R. Garcia.

A concurrent resolution (**H. C. R. No. 47**) requesting the reinstatement of a railway service between Lualualei and Iroquois Point was jointly offered by Representatives Carroll, Aki, J. Garcia, Hapai, Kimura, King, Kunimura, Leopold, Lunasco, Wedemeyer, Wong, Yamada and Yuen.

A concurrent resolution (**H. C. R. No. 48**) requesting a portion of land between Lualualei and Iroquois Point involving a railroad engine house and adjacent tracks for use as a museum was jointly offered by Representatives Carroll, Aki, J. Garcia, Hapai, Kimura, King, Kunimura, Leopold, Lunasco, Wedemeyer, Wong, Yamada and Yuen.

At this time, the members of the House extended birthday greetings to Representative Kishinami.

#### ADJOURNMENT

At 11:47 o'clock a.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, March 7, 1974.

# THIRTY-SIXTH DAY

Thursday, March 7, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Samuel Adkerson, State Director of Youth and Evangelism of the Churches of God, after which the Roll was called showing all members present with the exception of Representatives Aduja, A. Chong, Iha, Kato, Kunimura, Lee, Morioka, Sakima, Yamada and Yap who were excused.

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

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Thirty-Fifth Day was approved.

## SENATE COMMUNICATION

A communication from the Senate (**Sen. Com. No. 19**) informing the House that the Senate had agreed to the amendments proposed by the House to **Senate Bill No. 1518-74, S. D. 1** and that **Senate Bill No. 1518-74, S. D. 1**, as amended, passed Final Reading in the Senate on March 6, 1974 was read by the Clerk and was placed on file.

## ORDER OF THE DAY COMMITTEE REFERRALS

The following bills (**S. B. Nos. 1517 and 1559**) were disposed of as follows:

S. B. No.	Referred to:
1517	Committee on Judiciary and Corrections
1559	Committee on Water, Land Use and Development

## DEFERRED RESOLUTIONS

By unanimous consent, **H. R. Nos. 287 to 289** and **291 to 304** and **H. C. R. Nos. 37 to 44** were taken from the Clerk's desk.

The following resolutions (**H. R. Nos. 287 to 289** and **291 to 313**) and concurrent resolutions (**H. C. R. Nos. 37 to 48**) were disposed of as follows:

H. R. No.	Referred to:
287	Committee on Higher Education, then to the Committee on Finance
288	Committee on Higher Education, then to the Committee on Finance

289	Committee on Higher Education, then to the Committee on Finance
291	Committee on Transportation
292	Committee on Consumer Protection
293	Committee on Water, Land Use and Development
294	Committee on Public Health and Welfare, then to the Committee on Labor and Public Employment, then to the Committee on Finance
295	Committee on Labor and Public Employment, then to the Committee on Consumer Protection
296	Committee on Finance
297	Committee on Higher Education, then to the Committee on Finance
298	Committee on Education
299	Committee on Education, then to the Committee on Finance
300	Committee on Transportation, then to the Committee on Finance
301	Committee on Education
302	Committee on Transportation
303	Committee on Transportation, then to the Committee on Agriculture, then to the Committee on Finance
304	Committee on Education, then to the Committee on Finance
309	Committee on Finance
310	Committee on Legislative Management
311	Committee on Education, then to the Committee on Finance
312	Committee on Transportation
313	Committee on Transportation, then to the Committee on Finance
<b>H. C. R. No.                      Referred to:</b>	
37	Jointly to the Committees on Legislative Management and Finance
38	Committee on Education, then to the Committee on Finance
39	Committee on Higher Education, then to the Committee on Finance
40	Committee on Higher Education, then to the Committee on Finance

- 41 Committee on Higher Education
- 42 Committee on Transportation
- 43 Committee on Federal-State-County,  
then to the Committee on Water, Land  
Use and Development
- 44 Committee on Federal-State-County
- 45 Committee on Finance
- 46 Committee on Education, then to the  
Committee on Finance
- 47 Committee on Transportation
- 48 Committee on Transportation

#### COMMITTEE REASSIGNMENT

H. B. No. 2915 was re-referred to the Committee on Consumer Protection, then to the Committee on Public Health and Welfare.

#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 142-74) informing the House that House Resolution Nos. 305 to 313, House Concurrent Resolution Nos. 45 to 48 and Standing Committee Report Nos. 143-74 to 162-74 had been printed and distributed.

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

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 143-74) with data supply by the Manager of the Printshop.

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

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 144-74) submitting the Monthly Expenditure Report for the period beginning January 16, 1974 through March 4, 1974.

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

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 145-74) recommending that H. B. No. 1922 be referred to the Committee on Finance.

On motion by Representative Young, seconded by Representative King and carried, the report of the Committee was adopted and H. B. No. 1922 was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep.

No. 146-74) recommending that H. B. No. 1931 be referred to the Committee on Judiciary and Corrections with certain amendments.

On motion by Representative Young, seconded by Representative King and carried, the report of the Committee was adopted and H. B. No. 1931, as amended, was referred to the Committee on Judiciary and Corrections.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (Stand. Com. Rep. No. 147-74) recommending that H. B. No. 2450-74 pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, the report of the Committee was adopted and H. B. No. 2450-74, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (Stand. Com. Rep. No. 148-74) recommending that H. B. No. 2434-74 pass Second Reading and be referred to the Committee on Consumer Protection.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, the report of the Committee was adopted and H. B. No. 2434-74 passed Second Reading and was referred to the Committee on Consumer Protection.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (Stand. Com. Rep. No. 149-74) recommending that H. B. No. 2613-74 pass Second Reading and be referred to the Committee on Consumer Protection.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, the report of the Committee was adopted and H. B. No. 2613-74 passed Second Reading and was referred to the Committee on Consumer Protection.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (Stand. Com. Rep. No. 150-74) recommending that H. B. No. 2313-74 pass Second Reading and be referred to the Committee on Consumer Protection.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, the report of the Committee was adopted and H. B. No. 2313-74 passed Second Reading and was referred to the Committee on Consumer Protection.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 151-74) recommending that H. R. No. 79 be referred to the Committee on Finance.



On motion by Representative Yuen, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 79** was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 152-74**) recommending that **H. B. No. 2431-74**, **H. D. 1** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 2431-74**, **H. D. 1** passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 153-74**) recommending that **H. B. No. 2621-74** pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 2621-74**, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 154-74**) recommending that **H. B. No. 867**, **H. D. 1** pass Third Reading.

By unanimous consent, consideration of **Stand. Com. Rep. No. 154-74** on **H. B. No. 867**, **H. D. 1** was deferred until tomorrow, March 8, 1974, and in accordance with Article III, Section 16 of the Constitution of the State of Hawaii, printed copies of **H. B. No. 867**, **H. D. 1** were made available to the members of the House at 11:30 o'clock a.m.

The Chair here directed the Clerk to note the presence of Representatives Iha, Kato, Kuni-mura, Lee, Morioka, Sakima and Yap.

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 155-74**) recommending that **H. B. No. 2590-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and **H. B. No. 2590-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1974.

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 156-74**) recommending that **H. B. No. 2073-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and **H. B. No. 2073-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1974.

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 157-74**) recommending that **H. B. No. 2260-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and **H. B. No. 2260-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1974.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (**Stand. Com. Rep. No. 158-74**) recommending that **H. B. No. 2456-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, the report of the Committee was adopted and **H. B. No. 2456-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 159-74**) recommending that **H. B. No. 639** pass Third Reading with certain amendments.

By unanimous consent, consideration of **Stand. Com. Rep. No. 159-74** on **H. B. No. 639**, as amended, was deferred until tomorrow, March 8, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. No. 639**, **H. D. 1** were made available to the members of the House at 11:30 o'clock a.m.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 160-74**) recommending that **H. B. No. 834** pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Takamine, seconded by Representative Cobb and carried, the report of the Committee was adopted and **H. B. No. 834**, as amended, entitled: "A Bill for an Act relating to destruction of arrest records," passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 8, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 161-74**) recommending that **H. B. No. 1498** pass Third Reading with certain amendments.

By unanimous consent, consideration of **Stand. Com. Rep. No. 161-74** on **H. B. No. 1498**, as amended, was deferred until tomorrow, March 8, 1974, and in accordance with Article III, Section 16 of the Constitution of the State of Hawaii, printed copies of **H. B. No. 1498**, **H. D. 1** were made available to the members of the House at 11:30 o'clock a.m.

Representative Young, for the Committee on Housing, presented a report (**Stand. Com. Rep. No. 162-74**) recommending that **H. R. No. 42** be adopted with certain amendments.

On motion by Representative Young, seconded by Representative King and carried, **H. R. No. 42**, as amended, was adopted.

The Chair here directed the Clerk to note that printed copies of **H. B. Nos. 2431-74**, **H. D. 1**, **2621-74**, **H. D. 1**, **2590-74**, **2073-74**, **2260-74**, **2456-74** and **834**, **H. D. 1** were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (**H. R. Nos. 314** to **317**) and concurrent resolutions (**H. C. R. No. 49**) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 8, 1974:

A resolution (**H. R. No. 314**) requesting the appointment of a House Interim Committee on Consumer Protection to study **House Bill 2071-74** was jointly offered by Representatives Yap, Ajifu, Akizaki, Amaral, Fong, Kondo, Kunimura, Lee, Poepoe, Roehrig, Saiki, Suwa, Takamine, Wakatsuki, Yamada, Young and Yuen.

A resolution (**H. R. No. 315**) requesting a

hearing on the problems faced by farmers was jointly offered by Representatives R. Garcia, Uechi and Roehrig.

A resolution (**H. R. No. 316**) requesting the Department of Education to establish permanent support positions in each school district was jointly offered by Representatives Ajifu, Aduja, Aki, Amaral, Carroll, W. Chong, Cobb, J. Garcia, Leopold, Medeiros, Oda, Soares and Yuen.

A resolution (**H. R. No. 317**) requesting the appointment of a citizens advisory council for the Kona-Waimea area, Hawaii County was jointly offered by Representatives Hapai, Aduja, A. Chong, J. Garcia, Kimura, King, Kishinami, Leopold, Medina, Morioka, O'Connor, Poepoe, Saiki and Takamine.

A concurrent resolution (**H. C. R. 49**) requesting the appointment of a Joint Interim Committee on Consumer Protection to study **House Bill 2071-74** was jointly offered by Representatives Yap, Ajifu, Akizaki, Amaral, Fong, Kondo, Kunimura, Lee, Poepoe, Roehrig, Saiki, Suwa, Takamine, Wakatsuki, Yamada, Young and Yuen.

At 11:45 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:47 o'clock a.m., the House of Representatives reconvened.

#### ADJOURNMENT

At 11:48 o'clock a.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, March 8, 1974.

## THIRTY-SEVENTH DAY

Friday, March 8, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Father Thomas F. Nolan, Assistant Chancellor of the Diocese of Honolulu, after which the Roll was called showing all members present with the exception of Representatives A. Chong, Kato, Lee, O'Connor, Roehrig and Yamada who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Thirty-Sixth Day.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Thirty-Sixth Day was approved.

### DEPARTMENTAL COMMUNICATION

A communication from Frederick C. Erskine, Chairman, Board of Agriculture (**Dept. Com. No. 9**) transmitting a Report on the Coffee Industry of Hawaii, was read by the Clerk and was placed on file.

### MISCELLANEOUS COMMUNICATIONS

The following communications (**Misc. Com. Nos. 21 to 23**) were read by the Clerk and were disposed of as follows:

A communication from Tad T. Miura, County Clerk, County of Kauai (**Misc. Com. No. 21**) transmitting a copy of Resolution No. 246 (1974) enabling legislation for counties to establish power utility districts which was adopted by the Council of the County of Kauai, was placed on file.

A communication from Betty J. Bell, Administrator, G. N. Wilcox Memorial Hospital and Health Center (**Misc. Com. No. 2**) acknowledging receipt of **House Resolution 255** of the Regular Session of 1974, was placed on file.

A communication from Richard E. Marland, Interim Director, Office of Environmental Quality Control (**Misc. Com. No. 23**) acknowledging receipt of a copy of **House Resolution No. 63** of the Regular Session of 1974, was placed on file.

### ORDER OF THE DAY DEFERRED RESOLUTIONS

The following resolutions (**H. R. Nos. 314 to 317**) and concurrent resolution (**H. C. R. No. 49**) were disposed of as follows:

H. R. No.	Referred to:
314	Committee on Consumer Protection,

then to the Committee on Finance

315 Committee on Agriculture

316 Committee on Education, then to the Committee on Finance

317 Committee on Federal-State-County

### H. C. R. No.

49 Committee on Consumer Protection, then to the Committee on Finance

### COMMITTEE REASSIGNMENT

**H. C. R. No. 48** was re-referred to the Committee on Transportation, then to the Committee on Finance.

### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (**Stand. Com. Rep. No. 163-74**) informing the House that **House Resolution Nos. 314 to 317**, **House Concurrent Resolution No. 49**, and **Standing Committee Report Nos. 164-74 to 166-74** had been printed and distributed.

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

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 164-74**) recommending that **H. B. No. 2511-74** pass Second Reading and be referred to the Committee on Judiciary and Corrections with certain amendments.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and **H. B. No. 2511-74**, as amended, passed Second Reading and was referred to the Committee on Judiciary and Corrections.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 165-74**) recommending that **H. B. No. 2065-74** pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative Iha and carried, the report of the Committee was adopted and **H. B. No. 2065-74**, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 166-74**) recommending that **H. B. No. 2491-74** pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative Iha and carried, the report of the Committee was adopted and **H. R. No. 2491-74**, as amended, passed Second Reading and was referred to the Committee on Finance.

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

Upon reconvening at 12:17 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives A. Chong, Kato, Lee and Roehrig.

### INTRODUCTION OF RESOLUTIONS

The following resolutions (**H. R. Nos. 318 to 322**) were read by the Clerk and were disposed of as follows:

A resolution (**H. R. No. 318**) commending the promising low-cost housing program in Waimanalo was jointly offered by Representatives R. Garcia, Kato, Kawakami, Kihano, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, Oda, Poepoe, Roehrig, Saiki, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yap, Yim, Young and Beppu.

On motion by Representative Yuen, seconded by Representative Medeiros and carried, **H. R. No. 318** was adopted.

A resolution (**H. R. No. 319**) congratulating the Lahainaluna High School wrestling team on winning the Maui Interscholastic League Wrestling championship was jointly offered by Representatives Kondo, Aki, Akizaki, Amaral, de la Cruz, J. Garcia, R. Garcia, Hapai, Iha, Kawakami, King, Kishinami, Kunimura, Leopold, Lunasco, Medeiros, Medina, Nakama, Oda, Saiki, Sakima, Suwa, Ushijima, Wakatsuki, Yap, Young and Beppu.

On motion by Representative Kondo, seconded by Representative de la Cruz and carried, **H. R. No. 319** was adopted.

A resolution (**H. R. No. 320**) congratulating Lahainaluna High School for winning the Maui Interscholastic League Basketball championship was jointly offered by Representatives Kondo, Aki, Akizaki, Amaral, de la Cruz, J. Garcia, R. Garcia, Hapai, Iha, Kawakami, King, Kunimura, Leopold, Lunasco, Medeiros, Medina, Nakama, Oda, Saiki, Sakima, Suwa, Ushijima, Wakatsuki, Yap, Young and Beppu.

On motion by Representative Kondo, seconded by Representative de la Cruz and carried, **H. R. No. 320** was adopted.

A resolution (**H. R. No. 321**) congratulating the Ewa AJA team for winning the Rural AJA Baseball League championship for 1974 was jointly offered by Representatives Young,

Ajifu, Aki, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Kato, Kawakami, Kihano, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medina, Nakama, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wasai, Yamada, Yap, Yim, Yuen and Beppu.

On motion by Representative Young, seconded by Representative Kishinami and carried, **H. R. No. 321** was adopted.

A resolution (**H. R. No. 322**) extending congratulations and best wishes to the recipients of the Silver Beaver and Silver Fawn awards of the Aloha Council, Boy Scouts of America was jointly offered by Representatives Ajifu, Aduja, Aki, Akizaki, Amaral, Carroll, A. Chong, J. Garcia, Hapai, Iha, Kato, Kawakami, Kimura, King, Kishinami, Kondo, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, Oda, Soares, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Yamada, Yap, Yim and Yuen.

On motion by Representative Ajifu, seconded by Representative Soares and carried, **H. R. No. 322** was adopted.

By unanimous consent, the following concurrent resolution (**H. C. R. No. 50**) was referred to the Committee on Legislative Management and further action was deferred until Monday, March 11, 1974:

A concurrent resolution (**H. C. R. No. 50**) requesting that the federal government grant assurances to the taro farmers of Hanalei, Kauai that their leases will be renewed was jointly offered by Representatives Kunimura, Akizaki, Cobb, de la Cruz, Iha, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Lee, Medina, Morioka, Nakama, Roehrig, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yamada, Yap, Young, Yuen and Beppu.

### SUSPENSION OF RULES

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

### THIRD READING

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

#### **H. B. No. 2431-74**

On motion by Representative Suwa, seconded by Representative Akizaki, **H. B. No. 2431-74** passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Nakama, O'Connor and Yamada being excused.

**H. B. No. 2621-74**

Representative Suwa moved that **H. B. No. 2621-74**, having been read throughout, pass Third Reading, seconded by Representative Akizaki.

Representative Leopold then rose and spoke against the bill as follows:

“Mr. Speaker, I rise to speak against this measure.

This bill provides for a penalty of 10% within the discretion of the Director of Taxation if no part of the amount shown as tax on the return is paid within 90 days of the prescribed filing date. Although the Director has the discretion to penalize, this discretion is questionable and might be considered unconstitutional as discriminatory against certain taxpayers. Laws should be fair and should apply uniformly. Discretionary power of this kind lends to abuse.”

Representative J. Garcia then rose and asked for a roll call vote on this measure.

Roll call having been requested, the motion was put by the Chair and **H. B. No. 2621-74** passed Third Reading by a vote of 42 ayes to 7 noes, with Representatives Aduja, Carroll, J. Garcia, Leopold, Saiki, Soares and Wong voting no and Representatives O'Connor and Yamada being excused.

**H. B. No. 2590-74**

On motion by Representative Yap, seconded by Representative Yuen, **H. B. No. 2590-74** passed Third Reading by a vote of 49 ayes, with Representatives O'Connor and Yamada being excused.

**H. B. No. 2073-74**

On motion by Representative Yap, seconded by Representative Yuen, **H. B. No. 2073-74** passed Third Reading by a vote of 49 ayes, with Representatives O'Connor and Yamada being excused.

**H. B. No. 2260-74**

On motion by Representative Yap, seconded by Representative Yuen, **H. B. No. 2260-74** passed Third Reading by a vote of 49 ayes, with Representatives O'Connor and Yamada being excused.

**H. B. No. 2456-74**

On motion by Representative Lunasco, seconded by Representative Suwa, **H. B. No. 2456-74** passed Third Reading by a vote of 49 ayes, with Representatives O'Connor and Yamada being excused.

**H. B. No. 834**

Representative Wakatsuki moved that **H. B. No. 834**, having been read throughout, pass Third Reading, seconded by Representative Kato.

At this time, Representative Saiki rose and asked for a short recess and the Chair, noting that there were no objections, declared a recess at 12:24 o'clock p.m., subject to the call of the Chair.

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

The motion was put by the Chair and **H. B. No. 834** passed Third Reading by a vote of 49 ayes, with Representatives O'Connor and Yamada being excused.

**UNFINISHED BUSINESS**

**Stand. Com. Rep. No. 154-74** on **H. B. No. 867**, deferred from March 7, 1974:

Representative Suwa moved that action on **Stand. Com. Rep. No. 154-74** on **H. B. No. 867** be deferred until Monday, March 11, 1974, and the Chair, noting that there were no objections, so ordered.

**Stand. Com. Rep. No. 159-74** on **H. B. No. 639**, as amended, deferred from March 7, 1974:

Representative Wakatsuki moved that action on **Stand. Com. Rep. No. 159-74** on **H. B. No. 639**, as amended, be deferred until Monday, March 11, 1974, and the Chair, noting that there were no objections, so ordered.

**Stand. Com. Rep. No. 161-74** on **H. B. No. 1498**, as amended, deferred from March 7, 1974:

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 1498**, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives O'Connor and Yamada being excused.

The Chair directed the Clerk to note that **H. B. Nos. 2431-74, 2621-74, 2590-74, 2073-74, 2260-74, 2456-74, 834** and **1498** had passed Third Reading not earlier than 12:20 o'clock p.m.

At 12:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:33 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Yamada.

**ADJOURNMENT**

At 12:35 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. Monday, March 11, 1974.

## THIRTY-EIGHTH DAY

**Monday, March 11, 1974**

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Stanley E. Kain, Executive Director of the Council of Churches, after which the Roll was called showing all members present.

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

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

### GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 56 and 57) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 56) transmitting copies of a report prepared by the University of Hawaii in response to S. R. No. 83 which relates to the governance of the Community College System and S. R. No. 279 which requests the President of the Senate to appoint a Senate Interim Committee on Higher Education to work with the University of Hawaii in the implementation of legislative policies and recommendations was placed on file.

A message from the Governor (Gov. Msg. No. 57) transmitting copies of the Hawaii State Correctional Master Plan which was prepared by the Planning and Design Institute pursuant to Act 179, 1973 was placed on file.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 20 and 21) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 20) transmitting Senate Bill No. 1741-74 entitled: "A Bill for an Act relating to bicycles," which passed Third Reading in the Senate on March 8, 1974, was placed on file.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, S. B. No. 1741-74 passed First Reading by title and further action was deferred until later in the calendar.

Representative Suwa here rose and inquired:

"Is there S. B. No. 1741-74 on our desks?"

The Clerk here replied:

"Yes, Mr. Speaker. Copies have been made available to the members."

Representative Suwa then stated:

"I am looking for that, but it's not on my desk. I just want to make sure that I have a copy."

At 11:37 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:40 o'clock a.m., the House of Representatives reconvened.

At this time, the Chair informed the members of the House that printed copies of S. B. No. 1741-74 were distributed on Friday, March 8, 1974.

A communication from the Senate (Sen. Com. No. 21) transmitting Senate Bill No. 1867-74, S. D. 1, entitled: "A Bill for an Act relating to emergency powers," which this day passed Third Reading in the Senate was placed on file.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, S. B. No. 1867-74, S. D. 1 passed First Reading by title and further action was deferred until later in the calendar.

### DEPARTMENTAL COMMUNICATION

A communication from Shelley M. Mark, Director of the Department of Planning and Economic Development, (Dept. Com. No. 10) transmitting copies of their publication, **Profit Potentials in Hawaii's Guava**, was read by the Clerk and was placed on file.

### MISCELLANEOUS COMMUNICATION

A communication from Frank F. Fasi, Mayor of the City and County of Honolulu, (Misc. Com. No. 24) acknowledging receipt of H. R. No. 43 was read by the Clerk and was placed on file.

### ORDER OF THE DAY COMMITTEE REFERRALS

The following bills (S. B. Nos. 1741-74 and 1867-74) were disposed of as follows:

S. B. No.	Referred to:
1741-74	Committee on Federal-State-County
1867-74	Committee on Water, Land Use and Development

### DEFERRED RESOLUTION

H. C. R. No. 50 was referred to the Committee on Water, Land Use and Development.



## STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 167-74) informing the House that House Resolution Nos. 318 to 322, House Concurrent Resolution No. 50 and Standing Committee Report Nos. 168-74 to 179-74 had been printed and distributed.

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

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 168-74) recommending that H. R. No. 47 be referred to the Committee on Finance with certain amendments.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and H. R. No. 47, as amended, entitled: "House Resolution requesting the Office of the Legislative Reference Bureau to determine minimum benefits which should be included in all health insurance plans," was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 169-74) recommending that H. B. No. 619, H. D. 1 be referred to the Committee on Finance with certain amendments.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and H. B. No. 619, H. D. 1, as amended, entitled: "A Bill for an Act relating to taxation," was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 170-74) recommending that H. B. No. 2189-74 be referred to the Committee on Finance.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and H. B. No. 2189-74 was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 171-74) recommending that H. B. No. 2060-74 pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and H. B. No. 2060-74, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kato, for the Committee on

Public Health and Welfare, presented a report (Stand. Com. Rep. No. 172-74) recommending that H. B. No. 1281-74 pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and H. B. No. 1281-74, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 173-74) recommending that H. B. No. 326, H. D. 1 be referred to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 326, H. D. 1, as amended, was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 174-74) recommending that H. B. No. 1195 be referred to the Committee on Judiciary and Corrections with certain amendments.

On motion by Representative Young, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H. B. No. 1195, as amended, was referred to the Committee on Judiciary and Corrections.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 175-74) recommending that H. B. No. 2428-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and H. B. No. 2428-74, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 12, 1974.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 176-74) recommending that H. B. No. 2591-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and H. B. No. 2591-74, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 12, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report

(Stand. Com. Rep. No. 177-74) recommending that H. B. No. 2485-74, H. D. 1 pass Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 177-74 on H. B. No. 2485-74, H. D. 1, as amended, was deferred until tomorrow, March 12, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H. B. No. 2485-74, H. D. 2 were made available to the members of the House at 11:30 o'clock a.m.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 178-74) recommending that H. B. No. 2188-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 2188-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 12, 1974.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (Stand. Com. Rep. No. 179-74) recommending that H. B. No. 2466-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, the report of the Committee was adopted and H. B. No. 2466-74, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 12, 1974.

The Chair here directed the Clerk to note that printed copies of H. B. Nos. 2428-74, H. D. 1, 2591-74, H. D. 1, 2188-74 and 2466-74, H. D. 1 were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 323 to 325) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 323) congratulating Jim Leahey, Hawaii's top sportscaster was jointly offered by Representatives Kihano, Aduja, Ajifu, Aki, Akizaki, Amaral, Cobb, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kimura, King, Kishinami, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Oda, Poepoe, Saiki, Soares, Suwa, Takamine, Ushijima, Wasai, Wong, Yap, Young and Yuen.

On motion by Representative Kihano, seconded by Representative Kishinami and carried, H. R. No. 323 was adopted.

A resolution (H. R. No. 324) congratulating Charles A. Martratt, Jr., and Rustin E. Stober

upon their becoming Eagle Scouts was jointly offered by Representatives Kishinami, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, Oda, Poepoe, Roehrig, Saiki, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Kishinami, seconded by Representative Kihano and carried, H. R. No. 324 was adopted.

A resolution (H. R. No. 325) extending congratulations and best wishes to the Young Buddhist Association of Honolulu and to its newly elected officers was jointly offered by Representatives Wakatsuki, 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, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Wakatsuki, seconded by Representative O'Connor and carried, H. R. No. 325 was adopted.

By unanimous consent, the following resolutions (H. R. Nos. 326 to 329) and concurrent resolution (H. C. R. No. 51) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 12, 1974:

A resolution (H. R. No. 326) requesting the City and County of Honolulu to consider placing its senior citizens programs under the Department of Recreation was jointly offered by Representatives Lunasco, 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, 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.

A resolution (H. R. No. 327) requesting the development of a park plan for the Hamakua Coast to include historical parks was jointly offered by Representatives Takamine, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, Oda, Roehrig, Saiki, Soares, Suwa, Uechi, Wasai, Wedemeyer, Wong, Yap, Young, Yuen and Beppu.

A resolution (H. R. No. 328) requesting the Department of Education to expand Keaukaha Elementary School to include grade seven was jointly offered by Representatives Roehrig, Ajifu, Akizaki, Carroll, A. Chong, de la Cruz, R. Garcia, Kato, Kishinami, Kondo, Kunimura, Medina, Nakama, Saiki, Wasai, Yamada, Yap and Young.

A resolution (H. R. No. 329) requesting the Department of Education to plan and construct an elementary school in the Crestview area, Central Oahu was jointly offered by Representatives Young, Aki, A. Chong, Cobb, de la Cruz, R. Garcia, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lunasco, Nakama, Oda, Roehrig, Sakima, Takamine, Ushijima, Wakatsuki, Yuen and Beppu.

A concurrent resolution (H. C. R. No. 51) requesting the Department of Land and Natural Resources to review the laws governing public lands and recommend changes to prevent the sale of State lands was jointly offered by Representatives Aduja, Ajifu, Aki, Carroll, Fong, J. Garcia, R. Garcia, Hapai, Kawakami, Kihano, Kishinami, Kunimura, Medina, Morioka, Oda, Saiki, Sakima, Soares, Uechi, Yap and Yuen.

At 11:46 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

At 12:55 o'clock p.m., the House of Representatives reconvened.

#### UNFINISHED BUSINESS

**Stand. Com. Rep. No. 154-74 on H. B. No. 867**, as amended, deferred from March 8, 1974:

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 867**, as amended, having been read throughout, passed Third Reading by a vote of 51 ayes.

**Stand. Com. Rep. No. 159-74 on H. B. No. 639**, as amended, deferred from March 8, 1974:

Representative Wakatsuki moved that **H. B. No. 639**, as amended, be deferred until tomorrow, seconded by Representative Takamine.

Representative R. Garcia then rose and requested a roll call vote on the deferral of **H. B. No. 639**.

Representative R. Garcia again rose and stated:

"Mr. Speaker, may I be allowed to ask a few questions to the Chairman of the Subcommittee on Corrections?"

The Chair replied:

"There will be no debate on this particular motion."

Representative Cobb then rose on a point of order and stated:

"A motion to defer or recommit is debatable."

The Chair then replied:

"Not under the rules of the House."

Representative Cobb again rose and stated:

"Then I refer specifically to Cushing's Manual on Parliamentary Procedure, Page 148."

The Chair replied:

"The Chair has to rule by the Rules of the House. There will be no debate."

Representative Uechi rose on a point of information and stated the following:

"Mr. Speaker, about seven of us will be going on a trip to visit to ag park sites tomorrow."

If this bill is on the floor tomorrow, some of us will not have the privilege of voting unless the Majority and Minority agree to go on the consent calendar we have been doing so we might be able to register our vote before we take our trip. So, I think we should make this clear first before we take a vote on this particular issue."

The Chair then stated:

"Representative Uechi, if you feel that this bill will not pass, if the time comes, the Chair will recommend that it be deferred one more day so that the members of the Ag Committee can vote on it."

The motion to defer **H. B. No. 639**, as amended, until tomorrow was put by the Chair and was carried by a roll call vote of 30 ayes to 21 noes, with Representatives Ajifu, Aki, Amaral, A. Chong, W. Chong, Cobb, R. Garcia, Hapai, Kato, King, Lee, Leopold, Lunasco, Medeiros, Soares, Uechi, Wasai, Wong, Yamada, Yim and Yuen voting no.

The Chair here directed the Clerk to note that **H. B. No. 867** had passed Third Reading at 1:03 o'clock p.m.

#### ADJOURNMENT

At 1:05 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, March 12, 1974.

## THIRTY-NINTH DAY

Tuesday, March 12, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Tuck Wah Lee, Assistant Pastor of Kawaiahao Church, after which the Roll was called showing all members present with the exception of Representatives Carroll, A. Chong, Cobb, Fong, Poepoe, Wong and Yap who were excused.

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

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

At this time, the Chair directed the Clerk to note the presence of Representatives Carroll and Fong.

### GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 58) recommending passage of Administration proposal P-4 (H. B. No. 3091-74) relating to the transfer of funds between major program areas, was read by the Clerk and was placed on file.

### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 25 and 26) were read by the Clerk and were disposed of as follows:

A message from Edwin A. Smith, Chief Clerk, Montana State House of Representatives (Misc. Com. No. 25) transmitting a copy of **House Resolution No. 44** relating to the unalterable opposition to registration and confiscation of firearms which was adopted by the Second Regular Session of the Montana State Legislature, was placed on file.

A message from Ms. Lynn Nakkim (Misc. Com. No. 26) transmitting a copy of Resolution relating to abortion, was placed on file.

At this time, Representative Aduja introduced to the members of the House former Ambassador, Dr. Amelito R. Mutuc, from the Philippines. Accompanying Ambassador Mutuc were the Consul General of the Philippines, Mr. Vicente Romero; Mr. Ben Ayson and Mr. Bernaldo Bicoy.

The Chair then appointed Representatives O'Connor, Kimura, Yuen, Fong, Carroll, Wakatsuki and Roehrig to escort Ambassador Mutuc to the rostrum whereupon he addressed the mem-

bers of the House as follows:

"Mr. Speaker, ladies and gentlemen of the House and distinguished guests of this august assembly:

I would be lacking in candor if I didn't tell you how overwhelmed I am and deeply moved by this honored privilege. The wonderful introduction by Representative Aduja, and I was escorted to this rostrum, is something I shall forever treasure and will never forget. It is true, at one time, I was an alternate delegate to the United Nations. I had occasion to address the Assembly and the Security Council but I was never so impressed by this ceremony than I am by your gesture this morning. For this, I am profoundly grateful. But my presence here is significant because, to my knowledge, this is the very first time that a Filipino under the martial regime of President Marcos since he proclaimed martial law in my country in September, 1972, has been accorded a very rare privilege of addressing a legislative assembly. My gratitude becomes more profound to boundless because, although I am a member of our National Assembly, yet because of the sovereign will of our people who decided not to convene our National Assembly, I was never afforded, together with my colleagues in the Assembly, a chance to sit in Congress assembled. That is why I said this is to me a very rare honor and privilege.

To be in Hawaii is like being in the Philippines. We, too, have this torrential rain and the floods I just passed through in Manila. For every Filipino, this tropical paradise cannot but remind him of home. Its flowers, its beautiful beaches, its wonderful seascapes, its majestic mountains and, above all, its warmth and hospitality of its people cannot but make him feel at home. But to me, these wonderful things are a visible proof of what can be done by an industrious and hardworking people like your people. Hawaii, therefore, looms large to us in the Philippines as a perfect model to emulate in this respect. It is for this reason, Mr. Speaker, that our beloved leader, President Marcos, has asked me to extend to you his greetings and best wishes in a message which, with your indulgence, I am pleased to read as follows:

"The government and the people of the Republic of the Philippines join me in extending to the members of the Hawaiian Legislature and the people of Hawaii warm greetings and sincere felicitations.

The close ties of friendship and cooperation existing between the state of Hawaii and the Philippines are a constant source and pride to all our countrymen. For they are ties of kinship and affection.

We view Hawaii's phenomenal rise to its present prosperity and development as something joined to our hopes as a nation. For what is happening today in our country is nothing less than the combined resolve of a people to achieve within this decade a level of prosperity and a quality of life that today are known only by the peoples of advanced societies.

In this effort we have been helped by the assistance of other nations, and by the trade and diplomatic relations which we maintain with other lands. Most of all, we have our old friends to thank for the influx of foreign interest and support which even today is introducing vitality into the national economy.

We are confident that there are many in this Assembly who wish us success in this national endeavor, and will continue to work for closer relations between the Philippines and Hawaii. On our part, we will always cherish this close relationship, and will always seek to strengthen it.

I take this opportunity to convey my best wishes and highest respects to this Assembly, and to wish the people of Hawaii continued prosperity.'

It might interest you to know that President Marcos went out of his way to rush this message to reach me at the airport before the departure of my plane, and I would like to think that he really went out of his way because the Foreign Minister of Saudi Arabia is presently in the Philippines on a State visit. In the midst of this crucial oil crisis which the world, including the Philippines, now faces, you would, of course, understand what that visit means to us and for President Marcos to go out of his way to send this message of greetings and best wishes to you and the people is to me something we will treasure.

This is the same man who, a few days after his proclamation of martial law in the Philippines on September 22, 1972, was subjected to all sorts of criticisms bordering on communism and libels by the media of many parts of the world. To us Filipinos, September 22, 1972, is historic and significant and meaningful and momentous as December 7, 1941 was to you. Martial law was also proclaimed in your State immediately after the terrible and treacherous attack. But there is a big difference between these two kinds of martial law. In your case, the enemy was clear—he was a foreign invader. In our case, the enemy was not identifiable. It was one amongst us. It was a war of Filipino against Filipino.

What prompted President Marcos to proclaim martial law throughout the country?

Martial law with its connotation throughout the world is especially to us, who are schooled in this, much revered principle of freedom and the rule of law. We are in that state because of him to save the Republic from a very impending revolution and civil war to prevent further chaos and anarchy in our country. The nation was in despair; there was no peace in order; the Philippines was like the Wild West with gun-toting goons hired by politicians. Corruption permeated the government; there was a double standard of justice—one for the high and one for the low; one for the rich and one for the poor; one for the privileged few and one for the underprivileged man. The economy was stagnating; there was no sense of discipline among the people; no sense of unity; the rich were getting richer and the poor, poorer.

As stated by a distinguished writer, 'the government found itself frequently stalemated by the interference of warlord politicians who had carved up the country into petty kingdoms of old but by their own private armies.' The result was that politics could not be implemented; the projects could not be moved; the sources could not be allocated to priorities. The country was caught in the quicksand of petty politics. No matter how one pulled, the downward pull of selfish interest was stronger. The government was often deadlocked into immobility and impatience by pressures and unable to enforce laws and rules without fear or favor. The people were thus caught in a mood of scare, and the sudden communist forces emboldened by foreign inspirations and support quickly lost the organized resentment into strong, subversive force to overthrow the government. For most of the 38 million Filipinos, the situation had reached the intolerable point. The feeling grew that the nation would find relief either by (1) violent revolution and civil war or (2) a peaceful revolution under a new Constitution.

It was this mood that found expression in the Constitutional Convention of 1970 of which I was a humble and modest delegate and member thereof. With patriotic zeal, those more than 320 delegates worked and tried to do their best to translate the yearnings of our people for reforms and their cherished dreams for a better life into meaningful provisions in the Constitution. But our zeal, our desire for idealism and affection caused delay in our deliberations. We introduced more than 5,200 resolutions in about seven months' time because of the desire of the delegates to do their bit in framing a Constitution that was responsible to the mood and the despairing mood of our people. The delay caused impatience and unrest among our people and, in the meanwhile, the situation worsened.

After President Marcos lifted his suspension of the habeas corpus, demonstra-



tions mounted and riots increased. There was an insurgence of communist activity. There was uncovered by the military a July-August Plan of the communists to create further confusions, disorder, chaos and anarchy which involved the assassination of public officials and the bombing of strategic points. This was confirmed by the bombing that occurred from day to day and from night to night in the suburbs of Manila and Manila itself and in the Constitutional Convention premises itself which was bombed. The President, with his back against the wall, was compelled, much against his wishes, to use his last weapon of recourse under the Constitution to place the Philippines under martial law.

What is that Constitutional provision? In effect, it says that the President of the Republic, as Commander-in-Chief of the armed forces, may call upon such armed forces to suppress lawless violence in case of insurrection or rebellion. It further provides that in case of invasion, resistance, rebellion or even in danger thereof when the public safety requires, he may:

1. Suspend the privilege of habeas corpus, and
2. Place the Philippines or parts thereof under martial law.

First, he tried to quell the rebellion by using the armed forces. This was unavailing. Secondly, he suspended the privilege of the use of habeas corpus in which the Supreme Court sustained him because the Supreme Court said there was a state of insurrection in the Philippines. Again, this was ineffective and finally when the demonstrations mounted, when the riots increased, and there was total confusion and chaos and disorder in our midst, he utilized his last weapon. He proclaimed martial law throughout the country.

What are the objectives of this martial law? According to him:

1. It was to quell the rebellion, and
2. It was to eradicate the causes of that rebellion.

What are the distinguishing characteristics of this martial law which is different from that which we knew which was proclaimed in Hawaii when the bombs fell on Pearl Harbor and within your midst.

1. It is not a military take-over. Ironically, the Philippine martial law was unmartial because civilian authority was always supreme.
2. It is martial law assumption by the old

and new Constitution under the provisions I just quoted.

3. It is upheld by the Supreme Court because in the precedent historic decision, the Supreme Court of the Philippines is the supreme arbiter of controversies, and the interpreter of the Constitution upheld the proclamation of martial law in our country.

4. It is characterized by a strict adherence by President Marcos and his government to the time-honored principle of the rule of law and the Constitution and a government of laws and not of men.

What happened when peace and order were restored? There was equal justice on the law after 400 years. Our tenant farmers who were chained in bondage to the land became free at last. As of this date, I don't know how many hundred thousands of titles have already been issued to these tenant farmers. Toiler of the soil, graft and corruption were diminished to a considerable extent. The government was re-organized, corrupt grafting officials, misfits and inefficient people were weeded out. There was a green revolution and every backyard and vacant lot you can find everywhere—green vegetables, plants, tomatoes, cabbages, lettuce, food for the people—the economic development of the country was spurred.

Foreign investments kept coming in because of the political and economic stability the martial law had created. Now, taxes are being paid. President Marcos, knowing that because of the graft and corruption there have been millions and millions of money and taxes which were not paid, granted a tax amnesty saying that if you pay your taxes, then we will grant you an amnesty and these people who had acquired ill-gotten wealth through whatever means, paid their taxes so the coffers of the government accumulated many billions of dollars. For the first time in the history of our country, our foreign reserves in dollars amounted to more than so many hundred millions. Our exports increased ten-fold. Foreign investors are flocking into the country. Above all, the leading investors are Americans for which we are profoundly grateful.

There is now a cultural renaissance—a cultural revival. It is vibrant in the air in the Philippines—the sense of national unity, of national discipline and common responsibility. So this, therefore, is the martial law regime of President Marcos of which so much has been written.

But what of the civil liberties, and to the lawyers of this august assembly, that is the most important thing. Freedom of the press. I will only cite a renown writer in the Philippines, one of the foremost columnists of the



most popular paper, The Manila Times, and in the country one of the most respected newspaperman for which recently he was made an Ambassador to Germany—Ambassador J. B. Cruz.

This is what Ambassador J. B. Cruz, himself a newspaperman, said of the free expression in the world which was in the Philippines before martial law. Ambassador J. B. Cruz, a pre-martial law columnist and former press secretary to the late President of Magsaysay has spoken to the media a week ago in our city. Here are a few samples of what he said: 'Before martial law, the Philippine press and media was ostentatious, destructive and power-mongers, privately carrying out their intentions and objectives even at the cost of the disintegration of the nation.' Ambassador Cruz continued: 'Press and media were owned and operated largely by political and economic oligarchs whose primary aim was the protection of their political and economic interests rather than the well-being of the Philippine masses with whom they shared little in common. The Philippine press was known as the most free in the world—free to incite, free to divide the country, to set Filipino against fellow Filipino, to undermine the peoples' faith in themselves, to sabotage the duly elected leadership and to complicate the basic issues that the country had to solve. There was a time, it seems, every lesbian and homosexual in Manila were in the newspaper column, using up the newspaper space to write about their fellow lesbian and homosexual and about the things they heard were going on in the nation's bedrooms. This was the glory of Philippine freedom of the press in the past. To allow it to come back would be disaster.' Those are the words of one of our most famous columnist, distinguished paperman, and Ambassador of the Republic of the Philippines to Germany.

How about liberties which we used to enjoy? Well, fortunately enough, you have experience to that. In the second world war, when the bombs fell and martial law was declared, the patriotic Americans, citizens who were of Japanese ancestry who had a drop of Japanese blood, were arrested and incarcerated for the duration of the war. Why? Because necessity called for such an action. As in a famous, historic proceeding of your Supreme Court, necessities create the rule and limit the exercise of the rule and so, in the Philippines, necessity required the very people who would be arrested and, mind you, there is a difference in your federal Constitution in that there is no provision for the proclamation of martial law. In the Philippines, there is a specific provision which I quoted to you. The founding fathers of our Republic, therefore, when they found the 35 constitutions, adopted them and framed them. They were great men, educated and

schooled and skilled in the art of constitutional law. Present lawyers, present directors, these great men are justices of our Supreme Court. They were members of the Convention and they realized fully what was the meaning of placing a provision like that authorizing the President of the Philippines to proclaim martial law in the Philippines.

The only important thing was that the conditions would be present—invasion, insurrection or rebellion or imminent danger that often occur that required it. And what is the fact? Well, there is an insurrection, sustained by the Supreme Court and upheld by your last world war of democracy, in our country. Now, what is the comment of the press in the foreign countries of the world? With your indulgence, Mr. Speaker—I am taking too much of your time—and ladies and gentlemen of this august assembly, may I quote a few of these comments of the press and media throughout the world:

From Sydney, Australia, by Mr. Dennis Warner: 'As a shop window for President Marcos' martial law, Manila is astonishing. The streets, once as dirty as in Asia, are almost antiseptically clean. The hoodlums with their guns and people walk about by day and by night without fear that they may be robbed or mobbed. Tourists are flooding into Manila and love it for it is one of the cheapest cities in the world. Outside of the tourist hotels, a dollar buys a good meal.'

From Australia again, by Mr. Noel Markindahl: 'The incredible thing about this new society in the Philippines is that people are doing things voluntarily. They have a new pride in their country and there is an exciting feeling that the future is looking good. For the first time in years, Filipinos have a sense of direction.'

From Hong Kong, the China Morning News editorial: 'The Philippine experience is a solitary and notable exception to the general rule. Under martial law, the country has prospered beyond expectation; law and order are more effectively enforced than ever before and observed; and corruption in high and low places has been tuckered with the determination that has produced themselves. Indeed, under the Marcos type martial law which has also occurred in other cities, the people are enjoying a better life than before and the government is much more efficient.'

Now, from the Chicago Herald Tribune in Chicago: 'Philippine martial law is different. It's kind of a benevolent martial law—no military atmosphere; no soldiers in the streets; no guns or tanks visible; no military officers running things.'

From the London Times: 'For the first time, the program of the new society provides a constructive alternative for the future. Already achieved is a marked transformation of the atmosphere, and Filipinos are beginning to show a new sense of confidence in themselves, in their government, in their President, in their country.'

From K. Smith: 'In just one year since he assumed authoritarian control under martial law, President Ferdinand E. Marcos has succeeded in transforming the Philippines from a terror-ridden, politically unartistic economically stagnating country into a law and order new society in which wide ranging progressive reforms are being carried out, and the economy is already flourishing.'

I have many more comments from the press collected in this manual I have in my hands, but I will not tax your patience any longer.

What does this mean? Well, of course, in relation to America, in relation to Hawaii, I can say this in all candor that in the world there are no two peoples as closely associated in friendship, brotherhood and kinship than the American people and the Filipino people. That friendship and brotherhood had its climax in the beaches at Bataan, in the rocks of Corregidor, but American and Filipino blood mingle together in their last ditch defense of democracy in the last days of Bataan during World War II. And that friendship continues unabated until now. The particular reference to Hawaii—there are no two peoples in the world who have things in common, especially the fact that Filipinos have immigrated to your country, to your State, and they constitute the second largest ethnic group in your State. This is the most visible and palpable proof that the Filipinos love Hawaii and the Hawaiian people because no one would go to a place he does not love, he does not like, he does not cherish. He doesn't know that there is indeed a land of promise and opportunity.

How do we stand, therefore, together? Well, in this day and age, when the Vietnam War had ended, there is a new era of peace in the Pacific. Every nation, all peoples of the world, are yearning for peace but peace abroad must first start with peace at home and this is the very thing which President Marcos is trying to achieve. Peace and prosperity go hand in hand and based on the report I have just read, I believe, in all candor, that we can succeed under martial law. Because of that special relationship between the Americans and the Filipino people as stated in the message of President Marcos, together we can work hand in hand, shoulder to shoulder, in our quest for that ancient yearning for the majority of mankind, for peace in the world and a better life for all

men. That can be accomplished by each and everyone of us, especially the members of this distinguished and august assembly.

I am trying to look forward to further and closer relation, further trade and economic ties with your country. I am praising your great President—the late President Kennedy whom I had the rare opportunity of serving as Ambassador of my country to Washington. Let the word go forth, therefore, from this time and place in this august assembly. There are a group of men and women dedicated to the fundamental principles of the time honored creed of freedom under law. Together you and the Filipino people will indeed be a perfect example of that close relationship among peoples, among nations, such that peace will, at long last be, not an empty dream, but a reality.

I thank you very much."

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

Upon reconvening at 1:20 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives A. Chong, Cobb, Poepoe, Wong and Yap.

#### ORDER OF THE DAY DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 326 to 329) and concurrent resolution (H. C. R. No. 51) were disposed of as follows:

H. R. No.	Referred to:
326	Committee on Public Health and Welfare, then to the Committee on Federal-State-County, then to the Committee on Finance
327	Committee on Water, Land Use and Development, then to the Committee on Finance
328	Committee on Education, then to the Committee on Finance
329	Committee on Education, then to the Committee on Finance
H. C. R. No.	
51	Committee on Water, Land Use and Development, then to the Committee on Finance

#### STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 180-74) informing the House that House Resolution Nos. 323 to 329, House Concurrent Resolution No. 51, and Stand-

ing Committee Report Nos. 181-74 to 190-74 had been printed and distributed.

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

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 181-74) recommending that H. B. No. 1273 pass Second Reading and be referred to the Committee on Finance with certain amendments.

By unanimous consent, the referral of H. B. No. 1273, as amended, to the Committee on Finance was waived.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the report of the Committee was adopted and notwithstanding the recommendations contained therein, H. B. No. 1273, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 13, 1974.

The Chair directed the Clerk to note that printed copies of H. B. No. 1273, H. D. 1 were made available to the members of the House at 11:30 o'clock a.m.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 182-74) recommending that H. B. No. 1291 be referred to the Committee on Finance with certain amendments.

By unanimous consent, the referral of H. B. No. 1291, as amended, to the Committee on Finance was waived and consideration of Stand. Com. Rep. No. 182-74 on H. B. No. 1291, as amended, was deferred until tomorrow, March 13, 1974.

At this time, Representative J. Garcia, on a point of order stated:

"Mr. Speaker, I believe that where referrals are waived, that the proper motion be made on the floor passing the bill on Second Reading and placing it on the calendar for Third Reading. Just to make certain the records are correct."

The Chair replied:

"The bill, as amended, pass Second Reading and be placed on the calendar for Third Reading."

The Clerk then stated that the bill will await the expiration of the 24-hour notice period and the Chair, noting that there were no objections, so ordered.

The Chair directed the Clerk to note that printed copies of H. B. No. 1291, H. D. 1 were made available to the members of the House at 11:30 o'clock a.m.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 183-74) recommending that H. B. No. 2506-74 pass Second Reading and be referred to the Committee on Consumer Protection.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and H. B. No. 2506-74 passed Second Reading and was referred to the Committee on Consumer Protection.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 184-74) recommending that H. B. No. 2550-74 pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and H. B. No. 2550-74, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 185-74) recommending that H. B. No. 2538-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and H. B. No. 2538-74, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 13, 1974.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 186-74) recommending that H. B. No. 2196-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 2196-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 13, 1974.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 187-74) recommending that H. B. No. 303 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and H. B. No. 303 passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 13, 1974.

Representative Kawakami, for the majority

of the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 188-74) recommending that H. C. R. No. 9 be adopted.

Representative Kawakami moved that action on Stand. Com. Rep. No. 188-74 on H. C. R. No. 9 be deferred until the end of the calendar and the Chair, noting that there were no objections, so ordered.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 189-74) recommending that H. R. No. 195 be adopted.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and H. R. No. 195 was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 190-74) recommending that S. B. No. 1867-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and S. B. No. 1867-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 13, 1974.

The Chair directed the Clerk to note that printed copies of H. B. Nos. 2538-74, H. D. 1; 2196-74; 303; and S. B. No. 1867-74, S. D. 1 were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 330 and 331) and concurrent resolution (H. C. R. No. 52) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 330) commending the work of the Hawaii Chinese History Center was jointly offered by Representatives A. Chong, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, W. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Kimura, King, Kishinami, Kondo, Kuni-mura, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, O'Connor, Oda, Roehrig, Saiki, Soares, Suwa, Takamine, Uechi, Ushijima, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative A. Chong, seconded by Representative Hapai and carried, H. R. No. 330 was adopted.

A resolution (H. R. No. 331) commending and congratulating Ms. Casey Jo Cline for achieving national honors for health communication was jointly offered by Representatives Hapai, Aki,

W. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Roehrig, Suwa, Takamine, Wakatsuki and Yamada.

On motion by Representative Hapai, seconded by Representative W. Chong and carried, H. R. No. 331 was adopted.

A concurrent resolution (H. C. R. No. 52) commending and congratulating the Hawaii Army Reserves on their anniversary and for their achievements in community service projects was jointly offered by Representatives Cobb, Aduja, Ajifu, Aki, Akizaki, Amaral, W. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kihano, King, Kishinami, Kondo, Kuni-mura, Lee, Lunasco, Medeiros, Medina, Morioka, Nakama, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Cobb, seconded by Representative Hapai and carried, H. C. R. No. 52 was adopted.

By unanimous consent, the following resolutions (H. R. Nos. 332 to 335) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 13, 1974.

A resolution (H. R. No. 332) requesting the Farmers Home Administration to allow leasehold lands to serve as security for its home loans was jointly offered by Representatives Young, Aduja, Aki, Amaral, A. Chong, Cobb, R. Garcia, Hapai, Iha, King, Kondo, Lee, Leopold, Medina, Nakama, Poepoe, Soares, Takamine, Wasai and Wong.

A resolution (H. R. No. 333) requesting the establishment of an interim committee on education to prepare for the 1975 session was jointly offered by Representatives Wasai, Lee, Oda, Uechi and Yuen.

A resolution (H. R. No. 334) requesting the Department of Education to extend the hours during which public libraries shall remain open was jointly offered by Representatives Amaral, Aduja, Ajifu, Aki, W. Chong, de la Cruz, Fong, J. Garcia, Hapai, Kondo, Leopold, Medeiros, Medina, Oda, Saiki, Wakatsuki and Yamada.

A resolution (H. R. No. 335) requesting the Governor to appoint a Kona task force was jointly offered by Representatives Hapai, Aki, W. Chong, J. Garcia, Medeiros, Suwa and Takamine.

#### SUSPENSION OF RULES

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

## THIRD READING

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

**H. B. No. 2428-74**

On motion by Representative Kato, seconded by Representative Sakima, **H. B. No. 2428-74** passed Third Reading by a vote of 51 ayes.

**H. B. No. 2591-74**

On motion by Representative Yap, seconded by Representative Yuen, **H. B. No. 2591-74** passed Third Reading by a vote of 51 ayes.

**H. B. No. 2188-74**

On motion by Representative Kawakami, seconded by Representative A. Chong, **H. B. No. 2188-74** passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that **H. B. Nos. 2428-74, 2591-74 and 2188-74** had passed Third Reading not earlier than 1:27 o'clock p.m.

At 1:28 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 1:29 o'clock p.m., the House of Representatives reconvened.

**H. B. No. 2466-74**

Representative Lunasco moved that action on **H. B. No. 2466-74** be deferred until tomorrow, March 13, 1974 and the Chair, noting that there were no objections, so ordered.

## UNFINISHED BUSINESS

**Stand. Com. Rep. No. 159-74 on H. B. No. 639**, as amended, deferred from March 11, 1974:

Representative Wakatsuki moved that action on **Stand. Com. Rep. No. 159-74 on H. B. No. 639**, as amended, be deferred until tomorrow, March 13, 1974 and the Chair, noting that there were no objections, so ordered.

**Stand. Com. Rep. No. 177-74 on H. B. No. 2485-74**, as amended, deferred from March 11, 1974:

Representative Wakatsuki moved that **H. B. No. 2485-74**, as amended, having been read throughout, pass Third Reading, seconded by Representative Kato.

Representative Cobb then rose and stated:

"Mr. Speaker, I rise to speak in favor of **H. B. No. 2485, H. D. 2.**

The purpose of this bill is to encourage

rehabilitation by eliminating job disqualifications unless the past crime is related to the job.

The basic idea is that once a person has paid his debt to society, we should no longer continue to penalize him, especially in a job or license that is not related to his past crime. Already, there is a great deal of supporting law for this argument, including constitutional law, case law and legislative history.

By way of constitutional background, our Hawaii State Constitution was amended in 1968 and approved by the voters of our State that a person convicted of a felony could vote 'upon his final discharge or earlier as provided by law' and not only upon a pardon of the Governor. This interpretation was confirmed by an Attorney General's opinion issued in January of 1969. So, already, we have said that the loss of civil right for a felon was not permanent after his final discharge.

Secondly, in the matter of case law, the U.S. Supreme Court held in 1956 that State imposed qualifications for an occupation must be job related, in the case of Schwarv vs. Board of Bar Examiners. In addition, the importance of job related licensing standards was also noted in a recent decision by the District of Columbia Court of Appeals. In this 1972 case, Miller vs. District of Columbia Board of Appeals and Review, a licensing agency had denied a vendor's license to a former offender because it had found that he was not rehabilitated. Reversing the agency and finding that he was rehabilitated, the court not only ordered the agency to grant the man a license, but also went on to express 'serious concern' about the agency's lack of standards. The court said, in part, and I quote: 'Unless there are some standards relating the prior conduct of an applicant to the particular business activity for which he seeks a license, the power to deny a license inevitably becomes an arbitrary, and, therefore, unlawful, exercise of judgment by one official, a graphic example of which is so clearly revealed by the record in this case.'

Third, in the case of legislative history, I note that last year this legislature passed Act 54 which was **H. B. No. 656, H. D. 1**, which prohibited discriminatory practices in employment and made it unlawful for a private employer and I quote: 'To refuse to hire or employ or to bar or discharge from employment, any individual because of his race, sex, age, religion, color, ancestry, or arrest and court record which does not have a substantial relationship to the functions and responsibilities of the prospective or continued employment, provided that an employer may refuse to hire an individual for good cause relating to the ability of the individual to perform the work in question.'



In the case of 'good cause' in Section 378-2, the term is even less restrictive than what is proposed in **H. B. 2485**, for the bill before us will allow the denial of employment for any crime related to the job, in addition to the ability to do the work. The end result, Mr. Speaker, is to increase the control of employment for the protection of society, while at the same time allowing rehabilitated offenders to acquire jobs not related to their past crime. Now, does that sound like a radical goal?

It should also be noted that our recent legislative history is not unique in the field of employment offenders.

The states of Arkansas, California, Colorado, Connecticut, Florida, Illinois, Indiana, Oregon and Washington have all recently enacted laws to remove restrictions on the licensing of offenders. In Maryland, the Attorney General issued an opinion letter to state licensing agencies informing them that they cannot refuse a license to an ex-offender based on his criminal record alone, but must take into account all the circumstances surrounding his conviction in deciding whether to grant or deny a license.

In at least ten other states, bills have been introduced or are being prepared to alleviate restrictions on the licensing of offenders, and in Maine, Governor Curtis issued an executive order in 1973 prohibiting state agencies from discriminating against ex-offenders in their employment practices.

The latest background information came in a letter from Mr. James W. Hunt, Project Director of the American Bar Association's National Clearinghouse on Offender Employment Restrictions.

We might question then, whether or not the ABA stands alone on this subject and the answer is, of course, they do not. Here I would like to quote the testimony of Mr. Robert L. Stevenson, Chairman of the Board of First Insurance Co., given before our Committee and I quote: 'For the past several years, the United States government, through the Law Enforcement Assistance Administration, has spent literally millions of dollars bringing together the finest minds and the most experienced practitioners of the American criminal justice system. Two hundred of these persons—police, judges, professors, wardens, the whole gamut—formed the National Advisory Commission on Criminal Justice Standards and Goals, and they have just published a series of reports on the entire spectrum of criminal justice. In their report on this subject, here is what they said: 'Each state should enact by 1975, legislation repealing all mandatory provisions depriving persons convicted of criminal offenses of civil rights or other attributes

of citizenship. Such legislation should include:

(a) Repeal of all mandatory provisions denying persons convicted of a criminal offense the right to engage in any occupation or obtain any license issued by government.

(b) Repeal of all statutory provisions prohibiting the employment of ex-offenders by State and local governmental agencies. However, statutory provisions may be retained or enacted that authorize a procedure for the denial of a license or governmental privilege to select criminal offenders when there is a direct relationship between the offense committed or the characteristics of the offender and the license or privilege sought.'

That, Mr. Speaker, is exactly what this bill does. In addition, the Honolulu Police Department testified in favor of this bill, and I would like to briefly quote the heart of that testimony: 'The general provisions of the bill are consistent with past recommendations of the Police Department to the extent the prohibitions connected with the hiring of persons with criminal records are being repealed in several statutes. We have maintained that criminal offender records of the Police Department should be for the sole use of law enforcement purposes under our Criminal Justice System. They should never be used for disseminating information relating to the arrest and/or conviction for employment or licensing purposes.'

In short, Mr. Speaker, all of this goes back to the basic premise that to accomplish rehabilitation, we need to remove the irrational bars to employment that do so much to thwart its accomplishment. We also need to ask ourselves, at what point has a man paid his debt to society or must he go on paying that debt for the rest of his life?

Today, we can say that once the debt has been paid, the sentence served and the final discharge granted, that a man can have an equal chance for a job not related to his past offense. We can say that by voting for **H. B. No. 2485**. I wonder, Mr. Speaker, is that too much to ask?"

Representative J. Garcia then requested a roll call vote on **H. B. No. 2485-74**.

The motion was put by the Chair and carried, and the report of the Committee was adopted and roll call having been requesting, **H. B. No. 2485-74** passed Third Reading by a vote of 41 ayes to 10 noes, with Representatives Ajifu, Fong, Hapai, Kunimura, Medeiros, Morioka, O'Connor, Poepoe, Saiki and Soares voting no.

The Chair directed the Clerk to note that **H. B.**



No. 2485-74 had passed Third Reading at 1:40 o'clock p.m.

#### DEFERRED MATTER FROM EARLIER ON THE CALENDAR

**Stand. Com. Rep. No. 188-74 (H. C. R. No. 9):**

Representative Kawakami moved that the report of the majority of the Committee be adopted and **H. C. R. No. 9** be adopted, seconded by Representative A. Chong.

Representative Leopold then offered the following amendments to **H. C. R. No. 9**:

"**H. C. R. 9** is hereby amended by amending the last **WHEREAS** clause to read as follows:

'**WHEREAS**, dedicating the new stadium in honor of Governor John A. Burns will commemorate his devotion to the people of Hawaii and his understanding and love of the learning arts so that physical and mental development may reach its fullest potential; now, therefore,'

**H. C. R. 9** is further amended by amending the first **BE IT RESOLVED** clause and adding a new **BE IT FURTHER RESOLVED** clause immediately thereafter to read as follows:

'**BE IT RESOLVED** by the House of Representatives of the Seventh Legislature, Regular Session of 1974, the Senate concurring, that the new stadium at Halawa be dedicated to the Honorable John A. Burns in honor of our esteemed Governor; and

**BE IT FURTHER RESOLVED** that the new stadium at Halawa be named the Aloha Stadium in honor of all the people of the Aloha state; and' "

Representative Leopold moved that the amendment be adopted, seconded by Representative Hapai.

At 1:41 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 1:43 o'clock p.m., the House of Representatives reconvened.

Representative Leopold then spoke in favor of the amendment as follows:

"Mr. Speaker, the amendment dedicates the new stadium at Halawa in honor of Governor John A. Burns and names the new stadium the Aloha Stadium.

The Honorable Governor of the State has done much to further the interest of the sports community in Hawaii. Because of his diligent efforts in this regard, it is most

fitting and proper that the new stadium at Halawa be dedicated in his honor. But, Mr. Speaker, the new stadium should not be a monument for a politician; it should not be a signpost for any one individual. The new stadium should have a Hawaiian name which is instantly identifiable to the people of the world, a name which is reflective of all the citizens of the Aloha State."

Representative Ajifu then rose and requested a roll call vote on the amendment.

The motion was put by the Chair and failed to carry by a roll call vote of 34 noes to 17 ayes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Fong, J. Garcia, Hapai, Leopold, Medeiros, Oda, Poepoe, Saiki, Soares, Wasai and Yamada voting aye.

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and **H. C. R. No. 9** was adopted.

#### DISCHARGE OF CONFEREES

At this time, the Chair discharged the conferees on the part of the House on **Senate Bill No. 14, S. D. 1, H. D. 2.**

#### APPOINTMENT OF CONFEREES

The Chair then appointed Representatives Kato, Chairman; Lee, O'Connor, Takamine, Wakatsuki, Lunasco, Nakama, Carroll, Leopold and Aduja as Managers on the part of the House for the consideration of **Senate Bill No. 14, S. D. 1, H. D. 2.**

#### COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

**H. B. No. 2065-74, H. D. 1** was referred to the Committee on Water, Land Use and Development solely.

**H. B. No. 326, H. D. 2** was referred to the Committee on Water, Land Use and Development solely.

At this time, Representative Kato rose and, upon being recognized by the Chair, stated:

"Hearing the roster of the Conference Committee membership, I was wondering if we are departing from our usual method of consulting with whoever is going to be named Chairman of the Conference Committee."

The Chair replied:

"The Chair assumed that one of the members of the Conference Committee had a discussion with you earlier."

Representative Kato continued:

"They may have discussed it with me but with you having the appointing authority, Mr. Speaker, I thought that you would talk to me about it. It comes as a complete surprise."

The Chair responded:

"This is an oversight on the part of the Chair."

At this point, Representative Wakatsuki asked for a short recess and the Chair noting that

there were no objections, declared a recess at 1:50 o'clock p.m.

At 1:53 o'clock p.m., the House of Representatives reconvened.

#### ADJOURNMENT

At 1:54 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, March 13, 1974.

## FORTIETH DAY

Wednesday, March 13, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Donald Johnson, Pastor of the Lutheran Church of Honolulu, after which the Roll was called showing all members present with the exception of Representatives Carroll, Kato and Yim who were excused.

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

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

### GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 59 and 60) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 59) transmitting copies of the 1973 Annual Report prepared by the Department of Personnel Services, pursuant to Section 76-56, Hawaii Revised Statutes, was placed on file.

A message from the Governor (Gov. Msg. No. 60) transmitting copies of The State's Water Quality Plan prepared by the Office of Environmental Quality Control was placed on file.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 22 to 28) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 22) transmitting Senate Concurrent Resolution No. 3, S. D. 1 requesting the United States of America and its various governmental agencies to cooperate with the State of Hawaii and its counties in the formulation and implementation of environmental programs which was adopted by the Senate on March 12, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 23) transmitting Senate Concurrent Resolution No. 26, S. D. 1 requesting the Governor's Office to determine the State of Hawaii's environmental carrying capacity which was adopted by the Senate on March 12, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 24) transmitting Senate Concurrent Resolution No. 27, S. D. 1 requesting the Governor's Office to submit to the next session of the Legislature a proposal for officially declaring areas or

systems in danger of environmental overload and outlining related steps to prevent such overload which was adopted by the Senate on March 12, 1974 was placed on file.

By unanimous consent, action on S. C. R. Nos. 3, S. D. 1, 26, S. D. 1 and 27, S. D. 1 was deferred until later in the calendar.

A communication from the Senate (Sen. Com. No. 25) transmitting Senate Bill No. 1702-74, S. D. 1 entitled: 'A Bill for an Act relating to uniform disclaimers of property interests,' which was adopted by the Senate on March 12, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 26) transmitting Senate Bill No. 1731-74, entitled: "A Bill for an Act relating to the Hawaii Penal Code," which passed Third Reading on March 12, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 27) transmitting Senate Bill No. 1734-74, entitled: "A Bill for an Act relating to the Hawaii Penal Code," which passed Third Reading in the Senate on March 12, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 28) transmitting Senate Bill No. 1832-74, S. D. 1, entitled: "A Bill for an Act relating to firearms," which passed Third Reading in the Senate on March 12, 1974, was placed on file.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, S. B. Nos. 1702-74, S. D. 1, 1731-74, 1734-74 and 1832-74, S. D. 1 passed First Reading by title and further action was deferred until later in the calendar.

### MISCELLANEOUS COMMUNICATION

A communication from Hideo "Major" Okada (Misc. Com. No. 27) acknowledging receipt of H. R. No. 286 was read by the Clerk and was placed on file.

### ORDER OF THE DAY

#### COMMITTEE REFERRALS

The following bills (S. B. Nos. 1702-74, 1731-74, 1734-74 and 1832-74) were disposed of as follows:

S. B. No.	Referred to:
1702-74	Committee on Judiciary and Corrections
1731-74	Committee on Judiciary and Corrections
1734-74	Committee on Judiciary and Corrections
1832-74	Committee on Judiciary and Corrections

## DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 332 to 335) and concurrent resolutions (S. C. R. Nos. 3, 26 and 27) were disposed of as follows:

H. R. No.	Referred to:
332	Committee on Housing
333	Committee on Education
334	Committee on Education, then to the Committee on Finance
335	Committee on Agriculture, then to the Committee on Finance
S. C. R. No.	
3	Committee on Environmental Protection, then to the Committee on Federal-State-County
26	Committee on Environmental Protection, then to the Committee on Finance
27	Committee on Environmental Protection, then to the Committee on Finance

## STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 191-74) informing the House that House Resolution Nos. 330 to 335, House Concurrent Resolution No. 52 and Standing Committee Report Nos. 192-74 to 201-74 had been printed and distributed.

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

Representative Kawakami, for the majority of the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 192-74) recommending that H. B. No. 2150-74 pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the majority of the Committee was adopted and H. B. No. 2150-74, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 193-74) recommending that H. B. No. 2585-74 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H. B. No. 2585-74 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 194-74) recommending that H. B. No. 2626-74 pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 2626-74, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 195-74) recommending that H. B. No. 2546-74 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 2546-74 passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 196-74) recommending that H. R. No. 219 be referred to the Committee on Agriculture.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. R. No. 219 was referred to the Committee on Agriculture.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 197-74) recommending that H. R. No. 190 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. R. No. 190 was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 198-74) recommending that H. R. No. 218 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. R. No. 218 was referred to the Committee on Finance.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 199-74) recommending that H. B. No. 2618-74 pass Second Reading and be referred to the Committee on Consumer Protection.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and H. B. No. 2618-74 passed Second Reading and was referred to the Committee on Consumer Protection.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 200-74) recommending that H. B. No. 2277-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. B. No. 2277-74, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 14, 1974.

Representative Medina, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 201-74) recommending that H. R. No. 168 be adopted.

On motion by Representative Medina, seconded by Representative Wedemeyer and carried, the report of the Committee was adopted and H. R. No. 168 was adopted.

The Chair here directed the Clerk to note that printed copies of H. B. No. 2277-74, H. D. 1 were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 336 to 338) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 336) congratulating the 4-H Leaders attending the Western Regional 4-H Leader Forum was jointly offered by Representatives Ajifu, Aduja, Aki, Amaral, W. Chong, Fong, J. Garcia, R. Garcia, Kawakami, King, Kishinami, Kondo, Lee, Leopold, Medeiros, Oda, Soares, Takamine, Ushijima, Wasai, Wedemeyer, Yamada, Yap and Yuen.

On motion by Representative Ajifu, seconded by Representative Medeiros and carried, H. R. No. 336 was adopted.

A resolution (H. R. No. 337) honoring former assistant chief of police Itsuku Murakami for his distinguished career and for his many contributions to the community was jointly offered by Representatives Kunimura, Aduja, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de

la Cruz, J. Garcia, R. Garcia, Hapai, Iha, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Kunimura, seconded by Representative Kimura and carried, H. R. No. 337 was adopted.

A resolution (H. R. No. 338) commending Kamehameha Schools—Bernice P. Bishop Estate on providing a scholarship program to be made available to graduates of public high schools was jointly offered by Representatives Wasai, A. Chong, Cobb, de la Cruz, R. Garcia, Lunasco, Medina, Roehrig, Sakima, Takamine, Uechi, Wakatsuki, Yim, Young and Yuen.

On motion by Representative Wasai, seconded by Representative Poepoe and carried, H. R. No. 338 was adopted.

By unanimous consent, the following resolutions (H. R. Nos. 339 to 342) and concurrent resolution (H. C. R. No. 53) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 14, 1974:

A resolution (H. R. No. 339) requesting the University of Hawaii School of Medicine to conduct a study of, and prepare plans for, a State medical examiner system was offered by Representative Kato.

A resolution (H. R. No. 340) requesting hearings to determine if there is sex discrimination in credit granting was jointly offered by Representatives King, Akizaki, A. Chong, Cobb, R. Garcia, Iha, Kawakami, Kishinami, Kondo, Leopold, Medina, Morioka, Nakama, Roehrig, Sakima, Suwa, Takamine, Uechi, Wasai, Yap, Yim and Young.

A resolution (H. R. No. 341) calling for the planning and implementation of extensive bikeway systems for Oahu was jointly offered by Representatives A. Chong, Aki, Akizaki, W. Chong, Cobb, R. Garcia, Hapai, Iha, Kato, Kawakami, King, Kishinami, Kondo, Leopold, Medeiros, Medina, Nakama, Roehrig, Soares, Suwa, Takamine, Uechi, Ushijima, Wedemeyer, Wong, Yim, Yuen and Beppu.

A resolution (H. R. No. 342) requesting more extensive bus service for the Hawaii-Kai area was jointly offered by Representatives Soares, Ajifu, Aki, Amaral, W. Chong, Fong, J. Garcia, Hapai, Leopold, O'Connor, Saiki and Yamada.

A concurrent resolution (H. C. R. No. 53) requesting the University of Hawaii School of Medicine to conduct a study of, and prepare plans for, a State medical examiner system was offered by Representative Kato.

At 11:42 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 12:26 o'clock p.m., the House of Representatives reconvened.

### SUSPENSION OF RULES

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

### THIRD READING

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

#### H. B. 1273

On motion by Representative Wakatsuki, seconded by Representative Cobb, H. B. No. 1273 passed Third Reading by a vote of 46 ayes, with Representative Roehrig voting no and Representatives Carroll, A. Chong, Kato and Uechi being excused.

#### H. B. No. 2538-74

On motion by Representative Yap, seconded by Representative Yuen, H. B. No. 2538-74 passed Third Reading by a vote of 47 ayes, with Representatives Carroll, A. Chong, Kato and Uechi being excused.

#### H. B. No. 2196-74

On motion by Representative Kawakami, seconded by Representative A. Chong, H. B. No. 2196-74 passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Kato and Uechi being excused.

#### H. B. No. 303

On motion by Representative Yap, seconded by Representative Yuen, H. B. No. 303 passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Kato and Uechi being excused.

#### S. B. No. 1867-74

Representative Kawakami moved that S. B. No. 1867-74 pass Third Reading, seconded by Representative A. Chong.

Representative Aduja rose to speak in favor of the bill as follows:

"Mr. Speaker, I rise to speak in favor of this bill with mild reservation.

It is the consensus of individuals with whom I have discussed this bill that it is far-reaching and could lead to the deterioration of individual freedom. I share their

fears in this regard for the term 'necessary commodities' is so broad in interpretation that it may apply to goods other than petroleum and petroleum products. The power granted the Governor under this bill is so tremendous that he could exercise it to become a virtual dictator—benevolent or otherwise.

While it is true that GASPLAN has been successful, this success should not be the only criterion for exercising these powers in the future for other commodities. I would like to caution the Governor—now and in the future—to exercise the powers granted him under this bill prudently and with caution so that it does not infringe upon the rights of the individual and also, that he terminate its use immediately when the situation ceases to be critical and not wait for its automatic termination at the end of 120 days as specified in the law."

Representative Wong rose to speak in favor of the measure as follows:

"Mr. Speaker, I rise to speak in favor of this bill. Mr. Speaker, the passage of this bill is necessary to insure the continuation of the State's GASPLAN, which has helped to alleviate the long lines at the service stations and the uncertainty on the part of motorists. If the bill is not passed, Mr. Speaker, GASPLAN may be ultimately struck down in the court; and the crisis situation which we experienced in January will be back with us again.

Mr. Speaker, there are critics of this bill who say it is not necessary because there is no emergency. Mr. Speaker, this is a short-cited approach. An emergency does exist. Hawaii's present supply of gasoline is below what our normal demand would be. The easing of the long lines and the conservation of gasoline brought about by the GASPLAN has simply alleviated the emergency. To threaten the continuation of the GASPLAN at this time, Mr. Speaker, is the height of irresponsibility. In addition, Mr. Speaker, your Committee on Energy had considerable testimony from oil companies which verify the fact that the uncertainty as to our future supply may occur in the ensuing months. We may have to even contend with even greater reductions in supply. In the face of these future uncertainties, Mr. Speaker, it is imperative that the emergency power bill now before us be passed so that the State administration will have the necessary authority to meet any future contingency.

In closing, Mr. Speaker, I do want to make this one observation that I think a great deal of credit should be given to Representative Kawakami, Chairman of the Water, Land Use and Development Committee for guiding this bill through the House and through



the Senate and in the final product that we have here today."

Representative O'Connor rose and spoke in favor of the bill as follows:

"Mr. Speaker, I rise to speak in favor of the bill. Mr. Speaker, Chapter 125 has been the law of this State since 1949. It has to do with the procurement of necessary commodities in an emergency situation by the Governor for the health, safety and welfare of the State. I think the record is clear, Mr. Speaker, that we have found that the state of affairs in Hawaii today, were it not for GASPLAN, is a situation as regards our gasoline commodity supply which imperils the availability of that supply to the public and it is necessary certainly that the supply be continued for public health, safety and welfare.

The bill before us, Mr. Speaker, allows the Governor to control the distribution of commodities under that chapter by rules and regulations promulgated pursuant to the Administrative Procedures Act. The emergency which the State faces can, therefore, be taken care of, Mr. Speaker, the utilization of those rules and regulations under the Administrative Procedures Act; and the GASPLAN, which we are happy to note has been working efficiently in the State, can be continued by the promulgation of rules of that nature. I would urge all to vote for this bill."

Representative J. Garcia rose to speak for the passage of the bill as follows:

"Mr. Speaker, I rise to speak in favor of this measure. I believe it is incumbent upon all of us to recognize that, in view of Judge Norito Kawakami's recent decision, the passage of this measure is important. It is an emergency because, without this power, the return of long lines will again materialize. The passage of this measure will preclude those long lines and will insure the continuation of the present GASPLAN which is working effectively. I, therefore, urge all members of this Honorable Body to vote in favor of this measure."

Representative Suwa rose and stated:

"Mr. Speaker, I have a question pertaining to the House Rule that the time that we voted for passage of Second Reading was not at 11:30. Maybe the reports were made available to the members at 11:30, but there is quite a difference where one has already passed Second Reading and making that material available for the members for the 24-hour notice. But in this case yesterday we passed Second Reading at the time which I am sure the Clerk has. I want to point out that future bills, whether important as it

may be or it may not be, but the same courtesy be extended for other future bills. Thank you, Mr. Speaker."

Representative J. Garcia rose on a point of order and stated:

"I would like to find out whether or not what Representative Suwa is saying that he prefers to have this measure wait, as must all future measures, that the reciprocity on our desks does not constitute the time that the bill has arrived for our attention for 24-hours, whether or not the passage of Second Reading is the commencement of the 24-hour period. That being the case, Mr. Speaker, there will be no exception from this day forward. Unless a measure passes Second Reading, it will then begin the clocking of the 24-hour period. I would like to determine whether or not that is the ruling of Mr. Jack Suwa."

Representative Suwa rose and replied:

"I am not challenging the effect of what is transpiring now. But the same treatment should be given to the future bills that come about. That is all I am asking, Mr. Speaker."

Representative J. Garcia then rose and stated:

"That is something, Mr. Speaker, to which I think the Minority cannot agree."

Representative O'Connor then rose and stated:

"Mr. Speaker, I think that Rule 32.1 which is patterned after the Constitution of this State is clear, and the requirement is that a bill lie for 24 hours on the desk of each member prior to passage on Third Reading. And I think that a reading of that rule would indicate that the matter referred to by the Chairman of Finance is correct and that is the way that we should proceed in the future."

On request by Representative Soares, the Chair declared a recess at 12:37 o'clock, subject to the call of the Chair.

Upon reconvening at 12:41 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Carroll.

The motion to pass S. B. No. 1867-74 on Third Reading was put by the Chair and S. B. No. 1867-74 passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H. B. Nos. 1273, 2538-74, 2196-74 and 303 had passed Third Reading not earlier than 12:29 o'clock p.m. and that S. B. No. 1867-74 had passed Third Reading at 12:42 o'clock p.m.

## UNFINISHED BUSINESS

**Stand. Com. Rep. No. 159-74 on H. B. No. 639, as amended, deferred from March 12, 1974:**

Representative Wakatsuki offered the following amendment to H. B. No. 639, H. D. 1 as follows:

**"SECTION 1. House Bill 639, H. D. 1** is amended by amending section 1 to read as follows:

**'Section 1. Chapter 621, Hawaii Revised Statutes, is amended by adding a new section 621-** to read as follows:

**'Sec. 621- Communications to department of education outreach counselors; rules and regulations, etc.**

(1) An outreach counselor employed in the department of education outreach program shall not be compelled, by contempt of court citation or otherwise, to divulge, in any legal proceeding, whether civil or criminal, any confidential communication made to him, in the course of performing his counseling duties, by a person whom he is counselling.

(2) In accordance with chapter 91, the department of education shall promulgate rules and regulations (a) defining the duties, authorized activities, and professional responsibilities of outreach counselors employed in the department's outreach program, and (b) establishing the procedure and requirements for certifying persons as outreach counselors in the department's outreach program and the procedure and grounds imposing departmental sanctions, which may include suspension or decertification of an outreach counselor for engaging in unauthorized activity or for breaching his duties or professional responsibilities.

(3) The duties of outreach counselors in the department of education outreach program, as promulgated by the department of education in its rules and regulations, are and shall be considered public duties and the performance of authorized activities in the discharge of said duties shall be considered to be the execution of a public duty within the scope of Hawaii Penal Code, section 703-303."

Representative Wakatsuki moved that the amendment be adopted, seconded by Representative Cobb.

Representative Cobb rose and stated the following:

"Mr. Speaker, relative to the amendment that is being offered, in Paragraph 2 of the amendment I would like to state as a matter

of record our legislative intent in doing so, that, namely, the rules and regulations to be promulgated by the Department of Education be in concert with the guidelines and the successful practices of the outreach counselors and that any conflict between the two would be resolved in favor of the continued operation of the outreach program. I think it is a very clear statement of intent that we don't want to see anything hampering the already existing success of the outreach program. Thank you."

The motion was put by the Chair and carried and the amendment was adopted.

By unanimous consent, further action on H. B. No. 639, H. D. 1, as amended, was deferred until tomorrow, March 14, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H. B. No. 639, H. D. 2 were made available to the members of the House at 12:45 o'clock p.m.

**H. B. No. 2466-74, H. D. 1 on Third Reading, deferred from March 12, 1974:**

Representative Lunasco offered the following amendment to H. B. No. 2466-74, H. D. 1:

**"SECTION 1, House Bill 2466, H. D. 1** is amended by amending section 1 to read as follows:

**"Section 1. Chapter 265, Hawaii Revised Statutes, is hereby amended by amending sections 30 and 33 thereof to read as follows:**

**'Sec. 265-30 Notice to property owners.** The notice specified in section 265-29 shall be given [(1)] by [either] (1) publishing the same in a daily newspaper of general circulation in the county where the sidewalks or curbs are to be constructed, maintained, or repaired, once in each of three consecutive weeks, or, personal service by an officer or employee of the county of a copy of the notice upon the owner of each particular piece of property concerned, or by both publication and service, and (2) by [posting, at some time within ten days before or after the inception of the proceedings to give notice, a copy of the notice upon the premises in front of which sidewalks or curbs are to be so constructed, maintained, or repaired.] mailing a copy of such notice by certified mail to each of the abutting owners at their last known address, or (3) by both publication and certified mail."

Representative Lunasco then explained the amendment as follows:

"Mr. Speaker, this amendment would put back what was excluded starting from line 8 down to line 11."

On motion by Representative Lunasco, sec-

ended by Representative Suwa and carried, the amendment was adopted.

By unanimous consent, further action on **H. B. No. 2466-74, H. D. 1**, as amended, was deferred until tomorrow, March 14, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. No. 2466-74, H. D. 2** were made available to the members of the House at 12:45 o'clock p.m.

**Stand. Com. Rep. No. 182-74 on H. B. No. 1291**, as amended, deferred from March 12, 1974:

On motion by Representative Lee, seconded by Representative Takamine and carried, the report

of the Committee was adopted and **H. B. No. 1291, H. D. 1** passed Third Reading by a vote of 45 ayes, with Representatives Aduja, Ajifu, Amaral, W. Chong, J. Garcia and Soares voting no.

The Chair here directed the Clerk to note that **H. B. No. 1291, H. D. 1** had passed Third Reading not earlier than 12:46 o'clock p.m.

#### ADJOURNMENT

At 12:48 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, March 14, 1974.

## FORTY-FIRST DAY

Thursday, March 14, 1974

The House of Representatives of the Seventh Legislature of the State of Hawaii, Regular Session of 1974, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by The Reverend Bill Tipton, Pastor of the First Baptist Church of Honolulu, after which the Roll was called showing all members present with the exception of Representatives Carroll, A. Chong, Kimura, Takamine, Uechi and Yap who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fortieth Day.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, reading of the Journal was dispensed with and the Journal of the Fortieth Day was approved.

At this time, the Chair directed the Clerk to note the presence of Representatives A. Chong, Kimura and Yap.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 29 to 34) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 29) returning House Concurrent Resolution No. 52 which was adopted by the Senate on March 13, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 30) returning House Bill No. 143, H. D. 1 which passed Third Reading in the Senate on March 13, 1974, was placed on file.

By unanimous consent, H. B. No. 143, H. D. 1 was placed on the Clerk's desk.

A communication from the Senate (Sen. Com. No. 31) transmitting Senate Concurrent Resolution, No. 2, S. D. 1 requesting the Ad Hoc Commission on Operations, Revenues and Expenditures to consider the environmental goals and policies of the State of Hawaii, which was adopted by the Senate on March 13, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 32) transmitting Senate Concurrent Resolution No. 14, S. D. 1 relating to the establishment of a Filipino studies program at the University of Hawaii which was adopted by the Senate on March 13, 1974, was placed on file.

By unanimous consent, action on S. C. R. Nos. 2 and 14 was deferred until later in the calendar.

A communication from the Senate (Sen. Com.

No. 33) transmitting Senate Bill No. 1596-74 entitled: "A Bill for an Act relating to fishing regulations," which passed Third Reading in the Senate on March 13, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 34) transmitting Senate Bill No. 1733-74, S. D. 2, entitled: "A Bill for an Act relating to the Hawaii Penal Code," which passed Third Reading in the Senate on March 13, 1974, was placed on file.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, S. B. Nos. 1596-74 and 1733-74 passed First Reading by title and further action was deferred until later in the calendar.

### ORDER OF THE DAY COMMITTEE REFERRALS

The following bills (S. B. Nos. 1596-74 and 1733-74) were disposed of as follows:

S. B. No.	Referred to:
1596-74	Committee on Water, Land Use and Development
1733-74	Committee on Judiciary and Corrections

### DEFERRED RESOLUTIONS

The following resolutions (H. R. Nos. 339 to 342) and concurrent resolutions (H. C. R. No. 53 and S. C. R. Nos. 2 and 14) were disposed of as follows:

H. R. No.	Referred to:
339	Committee on Public Health and Welfare, then to the Committee on Finance
340	Committee on Consumer Protection, then to the Committee on Judiciary and Corrections
341	Committee on Transportation, then to the Committee on Federal-State-County
342	Committee on Transportation, then to the Committee on Federal-State-County

H. C. R. No.	
53	Committee on Public Health and Welfare, then to the Committee on Finance

S. C. R. No.	Referred to:
2	Committee on Environmental Protection, then to the Committee on Finance
14	Committee on Higher Education, then to the Committee on Finance

**COMMITTEE REASSIGNMENT**

The following bills were re-referred as follows:

<b>H. B. No.</b>	<b>Re-referred to:</b>
2995-74	Special Committee on Energy
2996-74	Special Committee on Energy

**STANDING COMMITTEE REPORTS**

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 202-74) informing the House that House Resolution Nos. 336 to 342, House Concurrent Resolution No. 53 and Standing Committee Report Nos. 203-74 to 207-74 had been printed and distributed.

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

Representative Lee, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 203-74) recommending that H. B. No. 1002, H. D. 1 be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Nakama and carried, the report of the Committee was adopted and H. B. No. 1002, H. D. 1 was referred to the Committee on Finance.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 204-74) recommending that H. B. No. 2508-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and H. B. No. 2508-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 15, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 205-74) recommending that H. B. No. 3094-74 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. B. No. 3094-74, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 15, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 206-74) recommending that H. B. No. 2393-74 pass Second Reading and be placed on the calendar for Third Read-

ing with certain amendments.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the report of the Committee was adopted and H. B. No. 2393-74, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, March 15, 1974.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 207-74) recommending that H. B. No. 2787-74 pass Second Reading and be recommitted to the Committee on Agriculture with certain amendments.

On motion by Representative Roehrig, seconded by Representative Kihano and carried, the report of the Committee was adopted and H. B. No. 2787-74, as amended, was recommitted to the Committee on Agriculture.

The Chair directed the Clerk to note that printed copies of H. B. Nos. 2508-74, 3094-74, H. D. 1 and 2393-74, H. D. 1 were made available to the members of the House at 11:30 o'clock a.m.

**INTRODUCTION OF RESOLUTIONS**

The following resolutions (H. R. Nos. 343 to 348) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 343) congratulating and commending Orlando and Pat Valentin and their "Pearl of the Orient Dance Company" for their contributions to the Filipino dance culture was jointly offered by Representatives Aduja, Ajifu, Amaral, Carroll, Cobb, Fong, J. Garcia, Iha, Kawakami, Kimura, King, Kondo, Lee, Leopold, Lunasco, Medina, Nakama, Oda, Poepoe, Saiki, Soares, Suwa, Uechi, Wasai, Wedemeyer, Wong, Yamada, Yap, Young, Yuen and Beppu.

On motion by Representative Aduja, seconded by Representative Medina and carried, H. R. No. 343 was adopted.

A resolution (H. R. No. 344) commending the Hawaii Filipino Women's Club for their fine work in the community was jointly offered by Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, Hapai, Iha, Kawakami, Kimura, King, Kondo, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, Oda, Poepoe, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Wasai, Wedemeyer, Wong, Yamada, Yap, Young, Yuen and Beppu.

On motion by Representative W. Chong, seconded by Representative Kihano and carried, H. R. No. 344 was adopted.

A resolution (H. R. No. 345) expressing congratulations and sincerest appreciation to the Filipino Women's Civic Club for its outstanding community work was jointly offered by Rep-

representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, Hapai, Iha, Kawakami, Kimura, King, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, Oda, Poe-poe, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Wasai, Wedemeyer, Wong, Yamada, Yap, Young, Yuen and Beppu.

On motion by Representative J. Garcia, seconded by Representative Aduja and carried, H. R. No. 345 was adopted.

A resolution (H. R. No. 346) congratulating the Oahu Filipino Community Council on its accomplishments was jointly offered by Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, Fong, J. Garcia, Hapai, Iha, Kawakami, Kimura, King, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, Oda, Poe-poe, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Wasai, Wedemeyer, Wong, Yamada, Yap, Young, Yuen and Beppu.

On motion by Representative Aduja, seconded by Representative Medina and carried, H. R. No. 346 was adopted.

A resolution (H. R. No. 347) congratulating and honoring the Filipino Chamber of Commerce was jointly offered by Representatives Aduja, Ajifu, Amaral, Carroll, Cobb, Fong, J. Garcia, Iha, Kawakami, Kimura, King, Kondo, Lee, Leopold, Lunasco, Medina, Nakama, Oda, Poe-poe, Saiki, Soares, Suwa, Uechi, Wasai, Wedemeyer, Wong, Yamada, Yap, Young, Yuen and Beppu.

On motion by Representative Amaral, seconded by Representative Aduja and carried, H. R. No. 347 was adopted.

A resolution (H. R. No. 348) congratulating Haili Congregational Church on the attainment of its 150th Anniversary was jointly offered by Representatives Roehrig, Akizaki, W. Chong, J. Garcia, R. Garcia, Hapai, Kato, Kihano, Kishinami, Medina, Oda, Suwa, Takamine, Uechi and Beppu.

On motion by Representative Roehrig, seconded by Representative W. Chong and carried, H. R. No. 348 was adopted.

By unanimous consent, the following resolutions (H. R. Nos. 349 and 350) and concurrent resolution (H. C. R. No. 54) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 15, 1974.

A resolution (H. R. No. 349) requesting the Department of Education to reassess its American Studies Program, especially in regard to the teaching of United States history was offered by Representative Wasai.

A resolution (H. R. No. 350) requesting modifications of the Student Observer Program was

jointly offered by Representatives Leopold, R. Garcia and Yim.

A concurrent resolution (H. C. R. No. 54) supporting federal legislation to designate Kalaupapa a national historic site was jointly offered by Representatives de la Cruz, Ajifu, Akizaki, Carroll, A. Chong, Cobb, R. Garcia, Hapai, Iha, Kawakami, Kihano, Kishinami, Kondo, Leopold, Lunasco, Medina, Nakama, Oda, Saiki, Soares, Takamine, Uechi, Wasai, Wong, Yap, Young and Yuen.

At 11:44 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:53 o'clock a.m., the House of Representatives reconvened.

### SUSPENSION OF RULES

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

### THIRD READING

#### H. B. No. 2277-74

On motion by Representative A. Chong, seconded by Representative Lunasco, H. B. No. 2277-74, having been read throughout, passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Nakama, Takamine and Uechi being excused.

The Chair directed the Clerk to note that H. B. No. 2277-74 had passed Third Reading at 11:54 o'clock a.m.

### UNFINISHED BUSINESS

Stand. Com. Rep. No. 159-74 on H. B. No. 639, H. D. 2 deferred from March 13, 1974:

By unanimous consent, action on Stand. Com. Rep. No. 159-74 on H. B. No. 639, H. D. 2 was deferred until tomorrow, March 15, 1974.

H. B. No. 2466-74 on Third Reading deferred from March 13, 1974:

By unanimous consent, action on H. B. No. 2466-74, H. D. 2 on Third Reading was deferred until tomorrow, March 15, 1974.

At this time, Representative O'Connor rose and stated:

"Mr. Speaker, I think it should be reflected on the record that the deferral of these bills is simply because they were clocked so late in the day yesterday and reflects in no way upon the final outcome of the passage of the bills."

Representative J. Garcia then rose and stated:



"Mr. Speaker, may the record also reflect that caucuses have already been held on these two measures and we do not see any stumbling blocks or any obstacles in their passage tomorrow."

At 11:57 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:58 o'clock a.m., the House of Represent-

atives reconvened.

#### ADJOURNMENT

At 11:59 o'clock a.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, March 15, 1974.